

LEGISLATIVE ASSEMBLY

Tuesday, 2nd March, 1993

Mr Speaker (The Hon. Kevin Richard Rozzoli) took the chair at 2.15 p.m.

Mr Speaker offered the Prayer.

CONSIDERATION OF URGENT MATTER

The honourable member for Ashfield gave notice of a matter for urgent consideration.

QUESTIONS WITHOUT NOTICE

FEDERAL OPPOSITION PAYROLL TAX POLICY

Mr CARR: My question without notice is directed to the Premier and Treasurer. During the Premier's recent talks with Dr Hewson and Mr Reith, what guarantee did he extract about the level of compensation for New South Wales in lieu of payroll tax in the event of a coalition victory? What formula will apply?

Mr FAHEY: It heartens me to see the Leader of the Opposition showing such concern about the level of payments that are being made to New South Wales. The facts of the matter are that, under a Federal Labor government, New South Wales is \$3 billion behind. Of course, the future looks awfully grim under a Federal Labor government should the Australian people not reject Labor - as I am sure they will - on Saturday week.

Mr SPEAKER: Order! I call the Minister for Justice to order.

Mr FAHEY: As I advised the House last week, when Paul Keating talks on national television about a balanced budget by 1995-96, he has first to pick up \$16 billion, which was the blowout in the Federal Budget in the past 12 months. To pick up that \$16 billion he has one of two choices. He could increase taxes, which is most likely. I predict that he will probably bring in a consumption tax. We all know what he thinks about a consumption tax. He said it so well and so clearly in 1985 until he was rolled by the silver bodgie at that time and could not proceed. The alternative to a consumption tax in order to get that balanced budget is to cut further what goes to the States. We know what that will mean to New South Wales.

Mr SPEAKER: Order! I call the honourable member for Monaro to order.

Mr FAHEY: Whoever is the Prime Minister on 14th March, I will argue strongly to get a fair share for New South Wales. I do not have the slightest doubt that the \$3 billion of losses suffered over the past five years under Labor will be reversed if Fightback is implemented to its full extent in its present form. That is what I am looking forward to with a coalition victory on 13th March.

Mr SPEAKER: Order! I call the honourable member for Ermington to order. I call the honourable member for Vaucluse to order. I call the honourable member for Ermington to order for the second time. There is far too much interjection, much of it coming from the Government benches. I ask members on both sides of the House to show a little more decorum.

CASINO CONTROL AUTHORITY FINDINGS

Mr YABSLEY: My question without notice is directed to the Premier and Treasurer.

Mr SPEAKER: Order! I call the honourable member for Londonderry to order.

Mr YABSLEY: Is the Premier aware of criticism by the Opposition of the findings of the independent Casino Control Authority into Sydney's casino? How would proposed Labor attempts to sabotage those findings affect jobs in the tourism industry and hospital services?

Dr Refshauge: On a point of order. The question is argumentative. I ask that it be ruled out of order.

Mr SPEAKER: Order! There is no point of order involved.

Mr FAHEY: I thank the honourable member for Vaucluse for his question and for his concern over the integrity of the casino process. It is important that I preface my answer by defining the method - and I stress the word method - of choosing the Pyrmont power station site, as that has a direct bearing on my answer. As honourable members will recall, the process for selecting a casino site was set down in the Casino Control Act which was passed by this House almost 12 months ago. The Act provided for the Minister, in this case the Chief Secretary, to call for a report from the authority. Although the Minister was not required to act on the authority's advice, the clear implication was that she would have to have a very good reason not to act on that report. The aim here, as with other parts of the legislation, was to separate political interference or any hint of private interest from the casino process.

The Minister did call for a report and the authority deliberated for four months before coming up with a recommendation. It considered several sites, and consulted with all relevant bodies. Ultimately, the authority, all members of which had undergone an extensive probity check, recommended the Pyrmont power station site, for reasons which are well documented. Now, however, we find that this is not good enough for the Opposition. Bob Carr has publicly said that he wants the casino to be directly in Darling Harbour, or within close radius. Of course,
Page 154

he ignores the fact that the Pyrmont power station site is within a close radius - just a five minute walk from Darling Harbour. He ignores what the Darling Harbour retailers and the Darling Harbour Authority itself have said. They believe it is within close proximity and have said quite clearly that it is their preferred site. Why? What is motivating Opposition members to attempt to change the site? Is it for the short-term political gain? That is very likely. They seem to be going to a lot of trouble.

Mr SPEAKER: Order! I call the honourable member for Rockdale to order.

Mr FAHEY: It must be obvious to everyone that a casino complex would make a very valuable neighbour indeed. Adjacent landholdings could skyrocket in price. It is interesting that Sussex Street is so close to some of the Darling Harbour sites.

Mr SPEAKER: Order! There is far too much interjection. I call the honourable member for Bulli to order.

Mr FAHEY: It is so close to some of the Darling Harbour sites that the Labor Party is pushing so

hard. What properties do we find virtually across the road from the Darling Park site and the Darling Walk site?

Mr SPEAKER: Order! I call the honourable member for Londonderry to order for the second time.

Mr FAHEY: Strangely enough, there is the debt-ridden Labor party investment at 291 Sussex Street, which gave Stephen Loosley such notoriety. The Darling Walk and 291 Sussex Street are very close indeed. Of course, a short walk down the street is the Trades Hall, at 377 Sussex Street.

Mr SPEAKER: Order! There is far too much interjection and far too much conversation. Honourable members who wish to converse should do so outside the Chamber. Those who wish to stay in the Chamber will please be quiet during the answer.

Mr FAHEY: Of course, just down the road a little further is the New South Wales Teachers Federation site, at 300 Sussex Street. I should like to remind honourable members -

Mr SPEAKER: Order! I call the honourable member for Riverstone to order. I call the Deputy Leader of the Opposition to order.

Mr FAHEY: - of an article that appeared in the *Sydney Morning Herald* on 9th February this year which stated that Stephen Loosley would like to have 291 Sussex Street increase in value.

Mr SPEAKER: Order! I call the honourable member for Mount Druitt to order.

Mr FAHEY: At the time -

Mr SPEAKER: Order! I call the honourable member for Wallsend to order. I call the honourable member for Newcastle to order.

Mr FAHEY: - in reference to Mr Loosley, the *Sydney Morning Herald* stated:

It was his dream of a headquarters for the New South Wales branch and a testament to mark Labor's upcoming centenary that landed New South Wales Labor in the financial mire . . .

At 291 Sussex Street in the Darling Harbour precinct sits Exhibition House, an unprepossessing three-storey building constructed in the '50s.

Mr FAHEY: It is clear to all concerned that Centenary House is now worth half of what Labor paid for it. Centenary House has helped the Labor Party into a \$10 million debt. Labor is broke, and the only thing between it and bankruptcy is its real estate holding next door to its preferred casino site. One can ask only whether this is the motive for the political interference that we are seeing now in what came down as a report from the control authority. The Opposition has not presented any objective analysis to support its contention that the casino should be located somewhere other than the Pyrmont power station site. To place the casino in the Darling Harbour precinct against all rational advice is, in the Government's view, contrary to the public interest. It could well place the Government at the mercy of one or two developers who hold leases. They could accrue massive windfall rights and profits because the Government could be forced to deal with them or to break their leases at very considerable cost. The Government-owned sites in Darling Harbour and the 9 and 10 wharves sites have also been clearly ruled out by the authority as being too small, not available or a traffic nightmare.

Mr SPEAKER: Order! I call the honourable member for Port Jackson to order.

Mr FAHEY: I was concerned to read a report - and I have had subsequent advice that the report was not entirely accurate - that the Independents are thinking of doing a deal with the Opposition over

moving the site in return for scrapping all of the slot machines in the casino. As I said, I have had advice that what was in the newspaper was not exactly correct, but I simply make the point that if the Independents -

Mr SPEAKER: Order! I call the honourable member for Kogarah to order.

Mr FAHEY: If the Independents care at all about issues of corruption, that sort of behaviour will be intolerable. I am sure that the report is untrue.

Mr SPEAKER: Order! I call the honourable member for Riverstone to order for the second time.

Mr FAHEY: If the Government were to let this go, what would it be defending next in relation to the casino? Would the Labor Party be forcing its opinion as to who should be the operator? An independent Casino Control Authority has been established following a great deal of trouble. It is the independence of the process that is important to keep that in place. It must be in the hands of an independent authority and free from all political interference, or people will quite rightly point the

Page 155

finger at corruption. Labor agreed to this process and that should not be forgotten. In debate on the legislation Labor agreed to this process. It cannot change that now without accepting the implication of corruption, particularly when the Labor Party has such an obvious vested interest in Sussex Street. I suggest strongly that the Labor Party let the Casino Control Authority get on with its job.

LIBERAL PARTY FUNDRAISING GROUP

Mr KNIGHT: I address my question to the Premier. Did the honourable member for Vaucluse draft a pamphlet for the Premier promoting the Liberal Party fundraising group known as the 500 Club? Did the pamphlet quote the chairman, Peter Charlton, as saying that the club had direct influence on State policy? Did it quote the Premier and Dr Hewson as saying the club's influence "extends to the pinnacle of policy development"?

Mr FAHEY: I could not hear the last high-pitched words being fired out, but I have not the faintest idea whether there is a pamphlet of this nature in existence.

Mr Knight: Mr Speaker -

Mr SPEAKER: Order! The member for Campbelltown will resume his seat. The question was answered.

Mr Knight: I was seeking to take a point of order and read the last part of the question again because the Premier appeared to have difficulty in hearing it. If you rule that the Premier has answered the question, Mr Speaker, I seek leave to ask a supplementary question.

Mr SPEAKER: The member may ask a supplementary question.

LIBERAL PARTY FUNDRAISING GROUP

Mr KNIGHT: In the light of the Premier's previous answer -

Mr SPEAKER: Order! I call the Minister for Finance to order.

Mr KNIGHT: - why then did he say on 4th August that he would not turn his personal office into another Community Polling? Why is the Premier's Office preparing material urging business to buy

influence in the Government?

Mr FAHEY: I have not turned my office into another Community Polling.

SYDNEY CASINO POKER MACHINES

Mr PACKARD: I direct my question without notice to the Chief Secretary and Minister for Administrative Services. Is the Minister aware of comments by the Registered Clubs Association concerning the number of slot machines at Sydney's casino? What did the report by Professor Peter Swan conclude on this issue?

Mrs COHEN: I thank the honourable member for The Hills for his concern about a project which will provide great benefits for Sydney.

Mr SPEAKER: Order! I call the honourable member for Campbelltown to order.

Mrs COHEN: I am very much aware of a great range of claims and misinformation being put forward by the Registered Clubs Association. Indeed, I have been appalled by the extent of uninformed debate on this issue. To hear the Registered Clubs Association - and I might say, the Opposition - you would think that one casino in Sydney will mean the downfall of the entire club industry in New South Wales. Of course, it does not concern either party that the only definitive study done in New South Wales on this issue totally disagrees with them. Why let the facts get in the way of a good story? Opposition members, who are obviously so learned on the matter of casinos, have decided to jump on the bandwagon. They are now putting forward their opinions on how many slot machines should be allowed in the casino.

Mr SPEAKER: Order! I call the honourable member for Canterbury to order. I call the Deputy Leader of the Opposition to order for the second time.

Mrs COHEN: At the last count the Opposition was interested in nominating 500 machines, and a review. I am keeping my ears closely attuned because the number changes from day to day.

Mr SPEAKER: Order! I call the honourable member for Kogarah to order for the second time. Order! I call the honourable member to Kogarah to order for the third time.

Mrs COHEN: The Labor Party has been all over the place on this issue. It is not at all interested in thousands of jobs, health funding, or tourism, or in putting such a large project at risk. It is time now that a few facts were given. In debating the casino legislation, this House passed an Opposition amendment which required that a study be carried out on the impact upon the State's registered club and hotel industries of slot machines in a casino. Professor Swan, a world renowned economist, was commissioned for the task. He took submissions from interested parties and examined gambling data for eight States and Territories over a period of 19 years. From that an economic model was developed to forecast expected poker machine takings in New South Wales up to the year 2000, assuming a no-casino scenario. Then, assuming a with-casino scenario, the model was used to predict poker machine revenue in a Sydney casino, poker machine revenue in clubs, and overall gambling revenue in this State. His final recommendation to the Government was that slot machines should be allowed in the casino.

Professor Swan showed in his report that if there was any negative effect on clubs following the introduction of a casino with slot machines, it would, in the worst case, involve a slowing in their rate of growth from approximately \$1.5 billion now to \$1.66

Page 156

billion in 1997. Also he said - and I notice that neither the clubs nor the Opposition have brought this point forward - that it could actually benefit clubs by attracting more visitors to the area, as we have seen

in the Tweed Heads clubs in the north of the State. These are the facts. It is strange how different they seem to be from the message being put around by the clubs and the Opposition.

On the Casino Control Authority's recommendation the Government decided to limit to 1,500 the number of slot machines in the casino. However, now it seems that the Opposition would like to tamper with this number and put at risk the viability of a large and important project for this State. We are talking about perhaps the largest building project Sydney will see within 10 years. We are not talking about some little corner shop; nor are we talking about a 50-table exclusive casino which only the elite would be interested in attending. The Opposition should be called to account for the damage it is doing to this project. It is putting at risk thousands of jobs. Those are guaranteed jobs, not fictional jobs.

Mr SPEAKER: Order! I call the honourable member for Kiama to order.

Mrs COHEN: It is a labour-intensive industry.

Mr SPEAKER: Order! I call the honourable member for Bulli to order for the second time.

Mrs COHEN: This is at a time when people are crying out for employment. The Opposition appears to be doing its level best to discourage any potential operators from taking an interest in this project. By tampering with the slot machine numbers the Opposition is invoking reduced extra funding for the health system by up to \$200 million over a five-year period; or if there are to be no slot machines, there could be a reduction in health funding by up to \$375 million in five years. Labor does not even seem to care what the eight million visitors to this State would expect from a casino. With 9,000 visitors expected to attend the casino at any one time during peak periods there would be the fascinating sight of queues of up to 15 people waiting to play a slot machine. How very exciting!

Mr SPEAKER: Order! I call the honourable member for Blacktown to order.

Mrs COHEN: I am now very worried about the track on which this project is now heading. If the Opposition is willing to interfere in this project at this point, how many other aspects of the casino project will it try to tamper with? If there is genuine worry about the clubs, the fear has been effectively countered today with the announcement that the Government is considering hardship provisions as a safety net for the clubs, much as I believe the former Labour Government considered them in the past. I call upon the Opposition to act responsibly and leave this project once and for all to the Casino Control Authority, and to keep petty politics and sectional interests out of it.

ONE NATION STATEMENT ROADS FUNDING

Ms MACHIN: My question without notice is addressed to the Deputy Premier, Minister for Public Works and Minister for Roads. Have the objectives of the Prime Minister's One Nation statement in relation to roads been achieved? Is it a fact that a significant portion of the proposed works have not occurred because of a lack of action by the Federal land transport department and its Minister?

Mr SPEAKER: Order! I call the honourable member for Illawarra to order.

Mr W. T. J. MURRAY: I thank the honourable member for Port Macquarie for her question, especially in light of her interest in and knowledge of the northern portion of the Pacific Highway and her involvement in roads generally, as well as her ongoing concern to ensure that roads in New South Wales receive a fair share of funding from the Commonwealth.

Ms Allan: You would make a good roads Minister.

Mr W. T. J. MURRAY: The old gray mare is still plodding up the road. The much vaunted One Nation statement delivered by the Prime Minister just one year ago has, by any standard, been a wimpish

failure with regard to roads. The Prime Minister unequivocally stated that the roads program outlined in his One Nation statement would provide an extra 15,000 jobs in the period up to 1993-94. Already that prediction is woefully out of kilter in New South Wales, and may I ask why? It is because the total funds of the 1992-93 program will be underspent by \$34 million because the Federal Minister for Land Transport has failed the simple task of organising his program and authorising the necessary approvals for several major projects.

Mr Bowman: Shame!

Mr W. T. J. MURRAY: Well may the honourable member for Swansea say shame! It is a shame, and it is a pity he did not reply to the Federal Minister for Transport along the same lines. Any suggestion that the New South Wales Government has dragged the chain is nothing but a smokescreen to cover the mismanagement by the Federal Government of the One Nation railway program.

Mr SPEAKER: Order! I call the honourable member for Mount Druitt to order for the second time.

Mr W. T. J. MURRAY: The One Nation statement was to be the life raft for a sinking Labor Government, but through the Federal Government's own mismanagement it has become an albatross. The Federal Minister for Land Transport has embarrassed the Federal Government at a critical stage of the election campaign by his bungling and incompetence. Through his inaction and lack of decision the vital link between the Sydney-Newcastle F3 Freeway and the New England Highway at Beresfield, worth \$8

Page 157

million, has been delayed. For the same reason, the Minister's lack of decision, work on eliminating traffic blackspots worth \$6.28 million has been delayed by up to five months, and delays in approvals for concrete paving contracts mean another \$11 million of the One Nation package will remain unspent. How serious is the Federal Government in creating jobs if it is holding up the money that would create those jobs? The Federal Minister has sought to deflect the blame for his own bungling on to the New South Wales Government, but the spotlight is squarely on him. The Federal Minister needs to explain what has he done with the millions of dollars the New South Wales Government has saved through the efficiencies in roadworks carried out on behalf of the Federal Government.

[Interruption]

It is marvellous how the hyenas who have no knowledge of the expenditure, who do not know what they are talking about, buy into an argument that, once again, they have absolutely no knowledge of. How often does it happen?

Mr SPEAKER: Order! I call the honourable member for Lake Macquarie to order.

Mr W. T. J. MURRAY: For instance, we saved \$6.1 million on the Mittagong by-pass, which opened to traffic four months ahead of schedule; and we saved \$11.5 million on the Goulburn by-pass, which opened to traffic seven months ahead of schedule. We will save approximately \$15.9 million on the Cullerin deviation, which we expect to open in the middle of this year, some 12 months ahead of schedule.

Mr SPEAKER: Order! I call the honourable member for Cabramatta to order.

Mr W. T. J. MURRAY: All of this money is Federal money spent on behalf of the Commonwealth Government on roads and traffic. In other Hume Highway works we expect to save \$3.2 million on the Wilton by-pass. These are significant savings on behalf of the taxpayer. They are achieved because of a combination of factors, the main one being, of course, the expertise of the Roads and Traffic Authority and the high quality private sector contractors it employs. But where have these savings gone?

Mr Newman: Where?

Mr SPEAKER: Order! I call the honourable member for Cabramatta to order for the second time.

Mr W. T. J. MURRAY: It is rather remarkable that a person who has been complaining and asking for money for roads in his electorate for so long should ask that question. Why has the honourable member for Cabramatta not gone out and asked the Labor Party for a few bob for his electorate like every other member has done?

Mr SPEAKER: Order! I call the honourable member for Cabramatta to order for the third time.

Mr W. T. J. MURRAY: Why has the honourable member for Cabramatta not gone to the Federal Government and talked about its failure to fund the whole process? He is a wimp. In this election campaign it is not difficult to follow the pork-barrelling trail laid down by the Federal Minister. Defying all State and local government priorities, the Federal Minister has been particularly selective in choosing Labor's marginal seats in which to curry favour and buy votes. Some might suggest that is being smart; might I suggest it is downright dishonest. Special grants worth \$9.6 million have conveniently been bestowed upon the Federal electorates of Page, Richmond, Paterson, Eden-Monaro, Charlton and Parkes, all seats where Labor is in trouble. These special grants are in addition to the \$3 million the Minister worked into the One Nation package to advantage the Hunter and Paterson electorates, both of which are adjacent to his own. These special grants to Labor's election funding are made at a time when Federal funding for other important works is being delayed because there is no political advantage for Labor.

Mr SPEAKER: Order! I call the honourable member for Hurstville to order.

Mr W. T. J. MURRAY: The New South Wales Government, on behalf of the taxpayers of this State, resents this blatant misuse of public funds and Labor Government incompetence.

GARBAGE COLLECTION CHARGES

Ms ALLAN: My question without notice is addressed to the Premier and Treasurer. Did the Premier and Treasurer last Thursday in this House refuse to rule out a \$500 a year charge for garbage disposal? Within hours, did he then release a statement saying he had no plans to introduce a charge for garbage? Why yet another backdown?

Mr SPEAKER: Order! I call the honourable member for Sutherland to order.

Mr FAHEY: The only thing I am certain of is that if there was a user-pays charge for garbage, \$500 would not go close to what the honourable member for Blacktown would have to spend on garbage disposal. As I said clearly last week, a green paper is being worked through the consultative process.

Mr SPEAKER: Order! I call the honourable member for Bankstown to order. I call the honourable member for Hurstville to order for the second time.

Mr FAHEY: There are many options to be considered by the committee of Parliament, many options that will be put forward by the community and local government. In respect of that, one option is the cost of disposal of landfill rubbish. That is a matter that will come forth in due course from the committee to the Parliament. At that point in time the matter will be considered by Cabinet and the ultimate outcome will be a matter for Cabinet.

ONE NATION STATEMENT RAIL PROJECTS

Mr SMITH: My question without notice is addressed to the Minister for Transport. Is it a fact that the Prime Minister pledged \$230 million towards New South Wales rail projects under the One Nation package? Has that figure now been slashed? If so, what impact will the cuts have on employment in this State?

Mr BAIRD: I thank the honourable member for Bega for his question. Like most members of this House, he has been reminded every night by the Prime Minister on television that employment is going to improve after the election if the Labor Party is re-elected.

Mr SPEAKER: Order! I call the honourable member for Smithfield to order.

Mr BAIRD: The only way employment will improve is if the Prime Minister is thrown out.

Mr SPEAKER: Order! I call the honourable member for Newcastle to order for the second time.

Mr BAIRD: Honourable members remember when the much-vaunted One Nation package was announced. The Prime Minister announced a tremendous rail package for the whole of Australia - he was going to rebuild the rail system. The idea of rebuilding the rail system was fine. It was about time some money from the Federal Government was put into rail infrastructure, because it has been a long time since that has happened. But the package was hastily put together without proper consultation with the States. It was simply decided how the money was going to be spent. There is now a disgraceful situation in which the Federal Government is syphoning more and more money away from New South Wales simply because it botched the figures that it provided so badly in the first place.

Honourable members will recall that I advised the House late last year that Mr Keating was preparing to milk up to \$46 million from New South Wales to help bail out the Victorian economy. I am pleased to say that since that time a new Victorian Government has been elected and the new Premier, Mr Kennett, has agreed to play his part in seeing the freight line become a reality by funding grain lines and sidings. However, there still remains a gap of \$30 million. Despite the fact that I have written to the Federal Minister for Land Transport, and the Premier has written to the Commonwealth Government, there has been no reply and no assurance about the redirection of funds to New South Wales, as was originally announced. The Prime Minister made a big deal about creating jobs and all these rail projects in New South Wales. Very little of the money has been seen. What New South Wales promised is all being moved across into other States. Some job creation program!

The Prime Minister is turning his back on New South Wales. He does not care at all, regardless of the fact that jobs are being lost in New South Wales. He is happy to lose this line simply to standardise the line between Adelaide and Melbourne. I have to say that the board of the National Rail Corporation placed this item very low down on its priority list, so this certainly did not come from the National Rail Corporation. It was part of the Federal Government's sense of priorities. But what is the reality? Why are the honourable member for Bathurst and the honourable member for Broken Hill not calling for the Federal Government to change its mind? One thing is sure: you will not have a rail line that will link through to Adelaide. All the freight will go between Melbourne and Adelaide because the honourable members' mates in Canberra switched the situation in order to look after local politics. The honourable member for Bathurst and the honourable member for Broken Hill know the reality. The honourable member for Bathurst, who normally sallies forth with rail questions, is totally silent on this, yet he knows what the impact of it will be. The reality is that the line through Broken Hill will be used lightly, and will move hardly any freight. The National Rail Corporation will send freight through Melbourne.

Mr Beckroge: Are you going to keep it open?

Mr BAIRD: We are going to keep it open. But the freight will not go through the honourable

member's electorate. He has not opened his mouth in this House about it, and neither has the honourable member for Bathurst. The One Nation package has been a total sham, a total disgrace, a total failure and has not yet created one job in New South Wales.

LIBERAL PARTY FUNDRAISING GROUP

Dr REFSHAUGE: My question without notice is to the Premier. Did he today tell the House that he does not have the faintest idea whether a 500 Club was prepared? Why then were Martin DeBelle, Marise Payne and Robert Maher mentioned on the fax cover sheet of the invitations to join the 500 Club? Did the Premier sign that fax cover sheet? If so, why did he mislead Parliament today?

Mr FAHEY: There is a 500 Club.

Dr Refshaug: Oh, you do know?

Mr FAHEY: Of course there is; you know that yourselves.

Mr SPEAKER: Order! I call the honourable member for Canterbury to order for the second time.

Mr FAHEY: You know that yourself. Everyone knows that there is a 500 Club. That 500 Club has been in existence for about -

Mr Phillips: Ten years.

Mr FAHEY: - 10 years. In relation to its activities and in relation to who attends its various functions, there are numerous activities that go on -

Mr SPEAKER: Order! I call the Minister for Natural Resources to order.

Mr FAHEY: - in any given year with the 500 Club, not all of which include me. Some of them include other people in the Liberal Party and some include various people outside the Liberal Party, and
Page 159
so on. Those particular activities, of course, are for purposes of support to the Liberal Party and, of course, for purposes of raising money. Not everyone raises money with Johnno Johnson raffles, and there are various other forms of fund raising that the Liberal Party participates in as well. I have no difficulty with the fact that the 500 Club raises money for the Liberal Party. It will do so in the future with my full support.

NATIONAL FINGERPRINT DATABASE

Mr RIXON: I address my question without notice to the Minister for Police. Will the Minister advise what access is available to the national fingerprint database for non-metropolitan police?

Mr GRIFFITHS: I thank the honourable member for Lismore for his question. I appreciate his regular interest in policing issues. I can advise that we are considerably extending police access to the national automated fingerprint identification system which was introduced into Australia in 1987.

Mr SPEAKER: Order! I call the honourable member for Hurstville to order for the third time.

Mr GRIFFITHS: That database currently contains 1.8 million sets of fingerprints from all Australian jurisdictions. The New South Wales database contains about 725,000 sets of fingerprints and that represents 40 per cent of the national database. During 1990 fingerprint work stations, or booking

terminals as they are commonly called, were installed in a number of country locations, including Wollongong, Newcastle, Dubbo and Wagga Wagga. As a result of this expansion police report exceptional results in terms of speedier arrests, with hundreds of suspect identifications for stealing offences being made. A number of significant identifications in relation to sexual assault, arson, drugs and other serious offences have also been achieved.

As a result of this outstanding success it is intended to further expand the New South Wales network by the installation of remote work stations in Lismore, Tamworth and Albury. As the honourable member would know, this will be appreciated greatly by his local police. This expansion of the network will increase operational effectiveness by enabling fingerprint experts in these locations to process all relevant fingerprint inquiries at the local level. This makes it possible to identify perpetrators of crime and offenders in custody within minutes. It will also have a positive impact on investigative costs. Further expansion of the network to Gosford, Queanbeyan, Bathurst, Coffs Harbour, Taree, Goulburn and Maitland is in the planning stage.

Mr SPEAKER: Order! There is too much conversation in the Chamber. I call the honourable member for Illawarra to order for the second time.

Mr GRIFFITHS: Once the expansion of the network is completed all fingerprint crime scene units throughout New South Wales will have direct access to the network, and that can only serve to improve the level of safety within this community.

COMMONWEALTH-STATE FINANCIAL ARRANGEMENTS

Mr WHELAN: My question without notice is directed to the Premier and Treasurer. Given the Premier's comments on fiscal equalisation, has he received a guarantee from Dr Hewson that the New South Wales subsidy to other States will be eliminated by a coalition government?

Mr FAHEY: One thing I can say for sure is that I have never even received a kind word on the subject from Paul Keating, let alone a guarantee. He has continued to simply take the money of the people of New South Wales and give it to the smaller States.

[Interruption]

The Deputy Leader of the Opposition opens his mouth on this subject. Let us look at his role in this. When it came to the question recently of Medicare changes, when it came to the additional \$104 million that was being raised by an increase -

Dr Refshauge: On a point of order. I am happy to have a debate on Medicare any day of the week. The Premier is not answering the question -

Mr SPEAKER: Order! The Deputy Leader of the Opposition knows that that is not a point of order and that he is trifling with the House. I call him to order for the third time.

Mr FAHEY: The Deputy Leader of the Opposition is embarrassed about this particular issue, and so he should be, because on the question of what the Commonwealth was going to give back to the people of New South Wales from the additional money raised from Medicare, \$104 million by increasing the Medicare levy was the contribution of the people of New South Wales. Obviously any money paid under Medicare should be specifically allocated to health care. What did they offer New South Wales in return for the additional \$104 million - nothing, absolutely nothing. What did the Deputy Leader of the Opposition say? He said, "New South Wales has got a good deal, and should take it". We would not accept that.

Mr SPEAKER: Order! I call the honourable member for Cronulla to order. I call the honourable

member for Ermington to order for the third time.

Mr FAHEY: We were prepared to fight for the people of New South Wales, unlike the Deputy Leader of the Opposition, who wanted to paper over the cracks, keep his mates in Canberra under control and avoid any embarrassment it would cause. The Minister for Health fought that issue, and fought it for four months. He got concessions. Ultimately \$94 million came back on the eve of the announcement of the election. That was as a result of this Government fighting for the rights of the people of New South Wales, when the Deputy Leader of the Opposition said we do not need the \$94 million, that we have a good deal and we should sign the contract. What would have happened were he on this side of the House? Thank God he is not if that is the sort of performance we could expect.

Page 160

Mr SPEAKER: Order! I call the honourable member for Monaro to order for the second time.

Mr FAHEY: There is absolutely no doubt that the people of New South Wales will be much better off under Fightback. The \$3 billion we have lost under the Keating Government over the past five years has been at the expense of our hospitals, roads, schools, nurses, and so on. If we can get Fightback in its present form, we will be miles ahead.

COMMONWEALTH-STATE FINANCIAL ARRANGEMENTS

Mr WHELAN: I ask a supplementary question of the Premier and Treasurer. In view of the very limited response to my question, would he please inform the House what guarantees he has received from Dr Hewson?

Mr FAHEY: I have received the guarantee that New South Wales will be much better off under the Hewson coalition government than it is under the present Labor Government.

WATER FILTERS SALE

Mr SMILES: My question without notice is directed to the Minister for Consumer Affairs. Is she aware of complaints about door-to-door salesmen using scare tactics about the safety of drinking water to sell water filters in the Sydney metropolitan area?

Mrs CHIKAROVSKI: I assure the honourable member for North Shore that I am extremely concerned about recent complaints to my department about the highly unethical sales methods used by some door-to-door salesmen promoting the sale of water filters. The matter came to my attention via one of my constituents, who complained to me about a caller who knocked on the door and told him that he had been sent to investigate complaints about water quality problems in his area. The man was dressed in a uniform and flashed an official looking photo identification card, creating the impression that he was from a government authority. The man carried out a so-called analysis of the tap water, which consisted of nothing more than dropping a tablet into a glass of water.

Mr SPEAKER: Order! I call the honourable member for Riverstone to order for the third time.

Mrs CHIKAROVSKI: The tablet coloured the water as it dissolved and the man claimed that this showed that the water was contaminated and was, therefore, unsafe to drink unless it was properly filtered. My constituent realised that things were not quite as they seemed when the man then produced a water filter unit, priced at several hundred dollars, and began to browbeat him and his wife with a high pressure sales spiel. The Water Board has also been concerned about complaints relating to similar deceptive sales tactics by door-to-door salesmen.

Mr SPEAKER: Order! I call the honourable member for Blacktown to order for the second time.

Mrs CHIKAROVSKI: The board has recently issued a public assurance that the tap water throughout Sydney is safe to drink. I am very concerned about the use of phoney water analysis reports and scare tactics to market these products.

Mr SPEAKER: Order! I call the honourable member for Smithfield to order for the second time.

Mrs CHIKAROVSKI: This conduct is totally unacceptable and I would ask all people who have been confronted with this sort of behaviour to let my department know when door-to-door salesmen are using such methods in their area. We have had remarkable success with people contacting the department about such matters.

Mr E. T. Page: What has the Minister done about it?

Mr SPEAKER: Order! I call the honourable member for Coogee to order.

Mrs CHIKAROVSKI: Could I suggest to members opposite that at least the honourable member for Mount Druitt is acknowledging the fact that my department is doing a very good job.

Mr SPEAKER: Order! I call the honourable member for Blacktown to order for the third time.

Mrs CHIKAROVSKI: He put out a press release today announcing that the Government has introduced a penalty notice system. The only thing he forgot to mention was that it was my department and my officers who did it, on my recommendation, not his. To conclude, I should strongly recommend to consumers interested in purchasing a water filter that they compare the features and prices of filters being sold by other retailers before entering into deals to purchase expensive filters from door-to-door salesmen.

HIV AND AIDS DISCRIMINATION

Mr FAHEY: I wish to give a supplementary answer. On 25th February the honourable member for Bligh asked me a question relating to a statement supporting the recommendations contained in the report of the inquiry into HIV and AIDS related discrimination. I am, both as Premier of this State and as an individual citizen, well aware of the enormous amount of suffering that the HIV-AIDS epidemic has caused in the past decade, both in the community in general and the gay community in particular. During a recent visit to St Vincent's Hospital I was again able to see the devastation that HIV and AIDS have inflicted upon individual members of our community and the courage with which they are confronting it. One is reminded in the course of such visits of the extraordinary commitment of hospital staff and people working in the HIV-AIDS area. It is not the first such visit that I have made and it will not be the last. It was not a secret visit, as suggested by some. It was a visit to ensure that I had a better understanding of the way in which St Vincent's Hospital is playing a key role in working

Page 161

with the community on AIDS and HIV issues. I wished to respect of the privacy of the people concerned and consequently there was no media involvement.

The gay and lesbian community has shown strength, courage and compassion in the face of this epidemic that has claimed so many lives. The volunteer work for AIDS affected persons done by all carers and helpers is not taken for granted by this Government and is an example to all of us as to what community caring is all about. We, as a community, owe those people a debt of gratitude and I wish to place that on the public record. An acknowledgment of that debt is overdue. As the experience in the United States has shown, HIV and AIDS have the capacity to touch the lives of each and every one of us

in one way or another. The recent USA presidential campaign and the stand taken by President Clinton on this matter indicates the priority this issue must continue to be given in our own national agenda.

This Government is committed to ensuring that resources are appropriately and sensibly allocated to areas of need. Recent initiatives announced by my colleague the Minister for Health are a demonstration of the Government's commitment. I am aware of suggestions by some commentators that discussions on HIV-AIDS have become distorted and that this has affected funding priorities. I reject these suggestions because the Government continuously reassesses its approach on this important issue, as should we all. We should bear in mind the collective responsibility we face in ensuring that the community's response is balanced, realistic, and above all compassionate. The Government has long appreciated the need for an effective education campaign to ensure that all members of our community are aware of the facts. Indeed, the effect of Government-funded education and prevention campaigns has been to reduce the rate of new infections in New South Wales. Nonetheless, this gives us no reason for complacency and the need for ongoing campaigns and prevention campaigns is recognised.

I believe it is necessary for many of us to reassess our views on the manner in which such issues are treated in light of the seriousness of the problem, which has the capacity to affect so many in our community, particularly the young. Unfortunately, many in our community still disassociate themselves from HIV and AIDS related issues, viewing it as someone else's problem. This is not the case. Often, fear and ignorance of the HIV and AIDS issue can manifest themselves in discriminatory behaviour towards those suffering from AIDS or those known to be or those presumed to be HIV positive. It is appalling and totally unacceptable that those who are having to cope each day with the implications associated with the HIV virus must also deal with the prejudices of others.

As stated in the Governor's Speech, it is the policy of this Government to end discrimination against HIV and AIDS affected persons. It was as a means of determining the extent of discrimination against those who are HIV positive or suffering from AIDS that the former Premier requested that the Anti-Discrimination Board conduct an inquiry into AIDS discrimination. As all honourable members will be aware, the report of this inquiry was publicly released by the former premier, Mr Greiner, in April of last year. I support the direction of the recommendations relating to ending discrimination against HIV and AIDS affected persons. The Attorney General has appointed a ministerial committee to monitor and report upon the implementation of the specific recommendations in the Anti-Discrimination Board's report.

That committee will produce a report to the Government by the middle of 1993 after discussions with government agencies which are currently under way. I look forward to being able to respond in a comprehensive and positive way following the ministerial committee's report to the Attorney General. A number of recommendations in their report propose that changes be made to the Anti-Discrimination Act to protect the human rights of HIV and AIDS sufferers. These were outlined by the Attorney General, the Hon. J. P. Hannaford, at the "All I want for Christmas" discrimination rally on 28th November last year. I have no hesitation in supporting the general direction of the proposed reforms and will ensure that Cabinet considers these matters at the earliest opportunity. Although the proposed legislative changes will go a long way towards addressing the issues of HIV and AIDS discrimination, I am aware that far more than legislative protection is needed for those suffering from this virus. I have already stated that this Government recognises the importance of education in the campaign to combat AIDS. With my responsibility for Aboriginal Affairs in this State I am also aware of the urgent need to ensure that education campaigns are developed by and for Aboriginal people.

While the networks already in place to combat the spread of HIV in New South Wales are in many respects a model for the rest of the world, co-ordination of effort can always be improved. To this end a joint community strategy to address all the issues raised in the report of the Anti-Discrimination Board will be developed by the Attorney General in conjunction with the Anti-Discrimination Board and the AIDS Bureau in the New South Wales Department of Health once the Government's response to the report's recommendations has been finalised. I wish to place on record my personal commitment to ensuring that effective methods countering discrimination against HIV affected and AIDS affected persons will be

introduced into Parliament as soon as possible. I understand the urgency of this issue and will ensure that everything possible is done to expedite this legislation without compromising its ultimate effectiveness. I will not accept, nor will the community, any unreasonable delay. My commitment is given not only to those affected by the virus, their friends, parents, brothers, sisters and carers but also to the general community for whom this issue is equally real.

Page 162

In conclusion, the Government will do everything in its power to ensure that its policies towards HIV-AIDS are as effective as possible and that resources are well directed. In that spirit I am pleased to announce that the New South Wales Government will commit \$100,000 towards the Elton John AIDS concert, with every cent of that contribution being spent on New South Wales services which will be beneficial to the whole community in combating the spread of the HIV virus. This is the first donation by any State government for this fundraising venture, which, with Elton John's involvement, should capture the imagination and support of all Australians. I hope other governments will follow suit, together with the corporate sector and, of course, the general community.

[Notices of Motions]

Mr Whelan: I desire to give notice that tomorrow I shall move:

That this House dissent from the ruling of Mr Speaker on 2nd March, 1993, that the Deputy Leader of the Opposition's point of order had no substance and he failed to uphold such point of order.

Mr West: On a point of order. The notice of a motion of dissent from a ruling of Mr Speaker is out of order. The notice of motion does not refer to the reference Mr Speaker made to the points that were made by the Deputy Leader of the Opposition, or to the question that was raised at that time. Clearly, there is no substance in the notice of motion, and it is not relevant in the form it is currently drafted.

Mr SPEAKER: Order! There is some substance in the Minister's point of order. If the honourable member for Ashfield wishes to rephrase his notice of motion, he will still have an opportunity to move it tomorrow or within the next three days. That right is open to him. If he would like to discuss the matter with the Clerks or with me, we would be more than happy to do so.

BILLS UNPROCLAIMED

Mr Speaker, pursuant to sessional order, laid upon the table a list detailing all legislation unproclaimed as at 2nd March, 1993.

JOINT SELECT COMMITTEE UPON POLICE ADMINISTRATION

Interim Report

The Clerk, pursuant to the terms of reference of the Committee, announced receipt of the interim report of the Joint Select Committee upon Police Administration dated 26th February, 1993.

PETITIONS

Pacific Highway, Mount White

Petition praying that the closed section of the Pacific Highway at Mount White be reopened, received from **Mr McBride**.

F6 Freeway Emergency Telephones

Petition praying that the House will consider the installation of emergency telephones on the F6 Freeway from Yallah to the north of Wollongong, received from **Mr Rumble**.

Eastern Distributor

Petition praying that the House, because of the impending opening of the Sydney Harbour Tunnel, implement stages 2 and 3 of the Eastern Distributor, received from **Ms Moore**.

Newcastle Rail Services

Petition praying that the rail line between Civic railway station and Newcastle railway station not be closed, received from **Mr Gaudry**.

State Rail Authority Heritage Buildings

Petition praying that heritage buildings in the Newcastle region be allowed to be used by arts and crafts people and that Newcastle Contemporary Artists Incorporated be given approval to occupy a building on the Honeysuckle land for use as a gallery of contemporary art and cultural workshop, received from **Mr Gaudry**.

Rose Bay-Circular Quay Ferry Service

Petition praying that the Rose Bay-Circular Quay ferry service be extended to include a service to the Finger Wharf and a link to Manly and Balmain, received from **Ms Moore**.

Capital Punishment

Petition praying that the House will enact legislation to reintroduce capital punishment in extreme cases of murder where there is absolutely no doubt that the offender committed the crime, received from **Mr Morris**.

Fern Bay Urban Development Rezoning

Petition praying that the House oppose the rezoning of coastal land at Fern Bay for urban development, received from **Mr Gaudry**.

Port Macquarie Hospital

Petition praying that the Government will reverse its decision to privatise Port Macquarie hospital and build a new public hospital at Port Macquarie, received from **Mr Gaudry**.

Balmain Hospital

Petition praying that Balmain Hospital not be downgraded or closed, received from **Ms Nori**.

Ingleburn and Macquarie Fields Police Stations

Petition praying that the House provide, as a matter of urgency, a permanent police station at Ingleburn and upgrade the existing police station at Macquarie Fields, received from **Mr Knowles**.

Fame Cove Preservation

Petition praying that Fame Cove, Port Stephens, be preserved in perpetuity for the people of New South Wales, received from **Mr Martin**.

Page 163

HOMEFUND MORTGAGE RELIEF BILL

Consideration of Urgent Matters

Mr WHELAN (Ashfield) [3.28]: I move:

That so much of the standing and sessional orders be suspended as would preclude:

- (1) consideration forthwith of General Business - Notice of Motion (for Bills) No. 5 standing in the name of the honourable member for Heffron up to and including the member's second reading speech; and
- (2) the resumption of proceedings and all remaining stages of the Homefund Mortgage Relief Bill having precedence of all other General Business - Orders of the Day (for Bills).

Mr SPEAKER: Order! When there is only one notice of motion for urgent consideration, the matter then proceeds without further discussion. The member for Ashfield may continue.

Mr WHELAN: The question before the Chair is the suspension of standing orders. Under the sessional orders I am not permitted to speak. The sessional order at paragraph (3) states: "If only one notice is given such Member shall be called at the prescribed time to move the motion forthwith without a five minute statement being required".

Mr SPEAKER: Order! That is correct. As there is only one motion the member should move straight into his speech.

Mr Hartcher: Mr Speaker -

Mr Whelan: Is the honourable member for or against?

Mr Hartcher: The matter should go to a vote. On a point of order. Paragraph (6) of the sessional order states: "If the first or subsequent question put is agreed to the motion shall be moved forthwith without any further questions being put". That implies there must be agreement.

Mr WHELAN: There is only one question before the House.

Mr Hartcher: It is the only one and it is the first. The only matter is the matter moved by the honourable member for Ashfield. Referring again to paragraph (3), it reads: "If only one notice is given such Member shall be called . . . to move the motion forthwith without a five minute statement . . .". But under paragraph (6) it is still required to be put.

Mr WHELAN: I am very happy for that position to arise. I raise no objection to that being the order of the day and for the adoption of the sessional orders that we fought for but were denied. In view of the Government's vacation of its former position, I am happy to move into the substance of why this matter should be considered by the House.

Mr SPEAKER: Order! For abundant clarity, as the sessional orders are so new to all of us, I will check the exact procedure. The sessional order says:

If only one notice is given -

And notice was given at the beginning of question time -

- such Member shall be called at the prescribed time to move the motion forthwith without a five minute statement being required.

If more than one notice is given the Members giving such notices shall be permitted to make a statement limited to five minutes so the House may establish the priority of such matters.

There is no formal footing for the question, That the matter proceed, and the member for Ashfield should proceed with his 10 minute contribution.

Mr WHELAN: The reason for the urgency of this matter is the lack of initiative by the Government to address the very real financial and social problems that thousands of HomeFund borrowers across the States are now experiencing. In its extensive report presented to the Government in October 1992 the Trade Practices Commission recognised the extent of the personal suffering being encountered by HomeFund family borrowers. The McMurtrie report ignored the findings and recommendations of the consumer protection expert, the Trade Practices Commission. The present situation is desperate for many HomeFund families. One hears daily about the extent of damage occasioned to family relationships and marital relationships throughout the State. In the past six months, 30 Supreme Court statements of claim have been issued each month against HomeFund families. That is an average of one for every week of the year. To date approximately 450 HomeFund home loans have been sold at a loss of about \$8 million to the State. The problem is not only that there has been direct intervention by the court and that the court is throwing out HomeFund borrowers, but that 450 HomeFund loan borrowers - families, husbands and wives, de facto partners, and children - have had their loans sold at a loss and have had to be evicted because of this Government's inaction.

People say the cost is \$8 million. How can one possibly estimate the real cost, the social cost to those 450 families? These are families who have been directly affected. More than 2,700 HomeFund families are in arrears in their mortgage payments by two months or more; 2,700 of the State's families have been neglected by the Government and will be affected by the inactivity of the Government and its failure to come to grips with a massive problem that the former Minister for Housing ignored and the present Minister is doing nothing about. The only way for the House to resolve this issue and bite the bullet is to expedite the legislation that has been foreshadowed by the honourable member for Heffron. The purpose of the motion is to have the second reading speech on the bill today. As I indicated to the House when I moved for the suspension of standing orders, that will enable the second reading speech to be given, the bill to become public and all the opponents and proponents to have a look at the proposed legislation. The Opposition is not wedded to the matter having number one priority on 4th March. It can go over to 11th March, another private members' day, or to some other day. For goodness sake, there must be not only an assurance but a guarantee that the legislation will go through the

Page 164
House.

The honourable member for Heffron has been the keenest of advocates in her indictment of a Government that has fallen asleep. As I said, 2,700 families are in arrears with their HomeFund mortgages and are lining up to be evicted from their houses by the Government because of a law which we on this side of the House regard as immoral. Members on the other side of the House are doing nothing and thereby are condoning the immoral act of throwing people out of their homes. I know that is not the position of most honourable members opposite, but there has been no activity from the Government. All we have heard is carping criticism. The defensive Minister for Housing attempted to

intimidate. He even went to the extent of making personal scurrilous attacks on the honourable member for Heffron. We know now who the guilty party is. We know why the Government is condoning the fact that these people are being thrown out of their houses. Approximately 1,000 of those HomeFund borrowers are three months in arrears. That means that those 1,000 families will now receive a statement of claim - the old writ of ejectment, a statement of possession. Today we are endeavouring to provide temporary relief for those people. That is the essence of the bill: to provide that those people have financial security and the security of their own homes while the bill is debated.

The honourable member for Heffron received a copy of the bill today at half past one. This is the first opportunity she has had since the bill was drafted to bring the bill before the Parliament. The Opposition believes there is nothing more imperative than that families of this State be guaranteed a roof over their heads, by a callous, usurious Government that is happy to condone a default, an unintended default, because of a lot of factors. But think of the pressure on the families; think of the pressure on a family that has a father out of work. Government supporters should not just blame Keating. The fact is that writs of ejectment will be issued to those who have been in arrears for three months. They will go out on the street. What will be the social cost of that? What has the Government been doing about it from the time it has had custody of this matter?

The honourable member for Heffron, whose office is near to mine, has five families a week coming to her office in Parliament House - let alone the numbers that go to her electorate office - for the purpose of taking guidance and seeking assistance. They have simply given up and are unable to cope with the financial and family pressures that the Government, by its inaction, has imposed on them. I ask the Government not to get bogged down in this procedural nonsense. I said with absolute certainty that the honourable member for Heffron will speak to this bill, not to inconvenience the Government but at 6 o'clock at the conclusion of private members' statements. Let her have the bill tabled so that it can become public now and the second reading speech can be made available. Let us give the people who have been disadvantaged by the Government some hope and opportunity - the hope that the Opposition will bring the matter before the Parliament today. [*Time expired.*]

Mr FAHEY (Southern Highlands - Premier, and Treasurer) [3.38]: The honourable member for Ashfield has tried to make out a case to have this bill brought before the House up to and including the second reading speech so that the bill can be produced and a substantial response made to what the bill is about. In his endeavour to do so he has made it abundantly clear that the Opposition has no wish to have the matter debated before next Thursday week. On a technical basis alone that defeats the argument for urgency. The honourable member for Ashfield will know well that it is open to any Opposition member to bring forward on Thursday of this week a bill of which notice has been given. The normal five-day rule would then take effect and the bill could be debated on the following Thursday.

The honourable member for Ashfield is simply seeking to have the bill laid on the table two days earlier; but that will not lead to an earlier outcome. The substantial argument he used for the need to have the matter put before the Parliament at this stage, rather than on Thursday of this week - in 48 hours - is that the Government has shown no consideration or concern for the various people who are affected by HomeFund mortgages and have had difficulties. Nothing could be further from the truth, and the honourable member for Heffron knows that. Since becoming Premier I have moved in this area. The McMurtrie report was released. The honourable member for Heffron is fully aware of the relief measures contained in that report, upon which the Government has already acted.

I refer to some of the matters contained in the McMurtrie report in relation to giving relief to people in difficulties under a HomeFund mortgage. People who are forced out of their HomeFund homes and who fulfil the criteria of, first, previously having been a tenant of the Department of Housing; second, having been on its waiting list; and, third, fulfilling the eligibility for a Department of Housing home - that virtually covers all HomeFund borrowers who are in difficulties - are automatically reinstated to public housing and to the waiting list in their previous positions. As to further relief, a substantial number of matters are being dealt with by the Department of Consumer Affairs and the Department of Housing. On 6th January

the Minister for Housing announced that mortgage relief was extended and that relief will be available for a period of two years. The upper limit was set at \$20,000 whereas formerly it was only \$15,000. On 13th December I announced that anyone who sought to refinance any home loan - not only HomeFund loans but directed specifically to the problem of HomeFund borrowers - would be entitled to seek relief from stamp duty. As at 22nd February, 119 exemptions were granted.

There has been an enormous response to the hotline established, and a refinancing information kit has been distributed to more than 1,700 callers, 322 of whom have been identified as problem cases, and individual questionnaires have been sent to those borrowers. For the past eight or nine months every
Page 165

consideration has been given to those in difficulty, and that will continue to be the case. At present home borrowers in all areas are in difficulty due to the recession and massive unemployment. Day after day members on the Government benches draw attention to the fact that because of this federally-induced recession massive hardship is experienced in many areas of the community. A number of people have actually disposed of their homes and despite having a HomeFund loan, a shortfall has occurred because of a reduction in property values. The honourable member for Ashfield spoke about that shortfall costing the State \$8 million. Arrangements have been made for borrowers to pay off that shortfall at a moderate sum over a long period. The Government is endeavouring, through the offices of the Department of Consumer Affairs, to deal with each case individually and to ensure that every effort is made to give maximum support to those genuinely seeking it.

The Minister and I will address this issue at an appropriate time, but the bill seeks to raise the jurisdiction of the Commercial Tribunal for those who claim that their contracts are unjust. In principle that matter has the support of Cabinet. The matter was brought forward and put on the agenda of a meeting of the Australian Consumer Affairs Ministers on 12th February. This was because of the need for this matter to be dealt with Australiawide. Because of the Federal election that meeting was called off. The Government has been advised that there is difficulty with retrospectivity; in fact, advice received to date - and I have asked the Minister for Consumer Affairs to provide further information on this issue - is that retrospectivity will not be possible.

The Opposition is seeking to have the matter brought forward by two days for exposure purposes. That is all that will be achieved by having the matter dealt with today as against following the normal processes of the House, with the five-day rule taking effect. This will provide opportunity for debate, if it is the wish of the House for the matter to be given priority, on Thursday of next week. Nothing will be achieved by suspending Government business of the House today; it will not bring the matter to finalisation any quicker. I ask why the honourable member for Heffron proposes to deal only with HomeFund loans, not Commonwealth Bank loans, State Bank loans or loans generally? Is there a political motive behind this or is it a question of relief from harsh or unconscionable home mortgage loans of any nature, be they from a finance company, bank or building society, as against simply HomeFund? Surely the argument is just as powerful in regard to other loans. This issue has not been ignored by the Government. The Minister sought to have the matter brought forward on a national level because national consideration is required. In any event, there is grave doubt about retrospectivity.

The honourable member for Ashfield said that the Government chose to ignore the report of the Trade Practices Commission. The McMurtrie report did not endorse the proposals of the Trade Practices Commission, because after a thorough examination it found that the conclusions of the commission could not be generally supported, though a few instances of maladministration were identified. In that regard Mr McMurtrie found that the tribunal proposal was unwarranted. The efforts of Mr McMurtrie and those who worked with him in the consultative process should be recognised. Many people have been given the opportunity to put their case, and honourable members appreciate and have great sympathy for those suffering as a result of the Federal Labor-induced recession. To suspend Government business for something that will not achieve a quicker result or provide any relief to HomeFund borrowers or any other borrowers would simply be playing with the House for political motivation. In those circumstances, it being a day for Government business, the Government believes that its business should take priority.

Mrs GRUSOVIN (Heffron) [3.48]: The House has just heard from the caring family man, the Premier. I wish that I was not taking up the time of the House on this matter. I would not be standing here today seeking urgency to deal with this matter if the Government had acted responsibly and addressed the concerns and problems facing HomeFund borrowers. In the past year I have seen an increasing stream of traumatised, distressed families seeking help from my office, and that stream of borrowers, who are faced with the loss of their homes, is gathering momentum. That is why I seek urgency for this matter to be debated. Last week five families sought advice from my office as to how they should surrender their keys to their co-operative. Quite separate from that, each month an average of 30 families are receiving a statement of claim - another step on the way to eviction. That is one family every day. Some 2,700 families are more two months behind in their rent payments.

Of those 2,700 families, more than 1,000 are more than three months in arrears. Those families are waiting for a Supreme Court writ of possession to be served at any time - a serious matter that should be considered more diligently by the Government, which attempts to portray a kindly, caring face. It is distressing that so many families across the State are not only suffering at the prospect of losing their homes but in many cases are seeing their marriages collapse under the stress, and their children leave home. It is impossible to believe that in New South Wales many thousands of people are in such a distressed state because of a government scheme. The Premier inquired about the reason for my moving a motion on behalf of HomeFund borrowers. The reason is that HomeFund borrowers were encouraged. A brochure states, "Can't afford your own home? You can do it! Home loans from the New South Wales Government". Of course, they were not able to do it. If the Minister for Consumer Affairs and the former Minister for Consumer Affairs, Mr Collins, who did not respond to my questions on this matter, had properly carried out their jobs, some action would have been taken under the Fair Trading Act based on the false and misleading information provided to the HomeFund borrowers.

The Government is saying to HomeFund

Page 166

borrowers, "If you have a problem and you want to test it in the courts, take it to the Supreme Court". What pie in the sky! How cynical and hypocritical it is for a government to say a HomeFund borrower should take the case to the Supreme Court. How in heavens is a HomeFund family able to take any matter to the Supreme Court? By this legislation the Opposition is attempting to provide these people access to the justice system. Cutbacks in legal aid have made that access difficult, and ordinary families have no chance of obtaining justice under our present system because of the costs involved. It is imperative that the matter is debated in this House. It is unbelievable that it has reached the stage where the Opposition has to move legislation in an attempt to provide relief to HomeFund borrowers. Perhaps the problem is one that the Government hoped would disappear if it could be contained - if the lid could be kept on it. I will not stand by and allow HomeFund families to crawl out of their homes into a deep hole somewhere around the outskirts of Sydney. I will continue to pursue the rights of these borrowers and to call on the Government to explain why it has not done its job. [*Time expired.*]

Mrs CHIKAROVSKI (Lane Cove - Minister for Consumer Affairs, and Assistant Minister for Education) [3.53]: The honourable member for Heffron is under a misapprehension that the Government is not concerned about HomeFund borrowers. That is clearly not the case. At the request of the Minister for Housing, Mr John McMurtrie prepared a report relating to the complete scheme. On the recommendation of that report, the Department of Consumer Affairs established the HomeFund loan inquiry 008 telephone service. That service is designed to provide counselling and advice for borrowers experiencing financial difficulty and for those interested in refinancing their HomeFund loan with another lender.

Mr SPEAKER: Order! The honourable member for Heffron has already spoken in the debate.

Mrs CHIKAROVSKI: I advise the House that the latest figures in relation to that inquiry service show that 4,162 calls have been received. The service commenced with a maximum of 231 calls in the

first week, and is down to 37 in week eight. The service operated with six financial counsellors in the first four weeks and at present operates with four. It is important that the House knows that the main areas of inquiry to that hotline are as follows: 55 per cent in relation to refinancing; 7 per cent complaining about poor co-operative service; 6 per cent complaining about compensation; 4 per cent inquiring about mortgage assistance; and 18 per cent complaining about repayment difficulties. There have been 1,750 requests for refinancing kits. Questionnaires were forwarded to 329 borrowers considered to be facing financial difficulty, of which only 60 have been completed and returned, and 37 personal interviews have been conducted. The honourable member for Heffron and the honourable member for Ashfield said that 2,700 people are more than three months in arrears.

Mrs Grusovin: No; 2,700 people are two months in arrears. More than 1,000 people are three months in arrears.

Mrs CHIKAROVSKI: If more than 1,000 people are currently three months or more in arrears, there has been an improvement since the McMurtrie Report. In October 1992 the McMurtrie Report stated that 1,644 borrowers were in arrears. HomeFund borrowers therefore are actually beginning to make their payments and should be congratulated and complimented upon their efforts. The honourable member for Heffron referred to access to justice, and she is well aware of people approaching the Consumer Claims Tribunal. HomeFund borrowers have lodged 23 claims with the tribunal. Three claims have been settled by the parties without an order by the referee; two claims have been determined, with orders made for \$100 and \$132.63 respectively; three claims have been withdrawn; and 15 claims are to be completed. In preparing the applications for the Consumer Claims Tribunal, difficulties have arisen in relation to complicated calculations. The department has prepared a computer program to help claimants with their calculations. Further advice will be given by the commissioner if it is requested.

The Government has addressed the measures available to the HomeFund scheme, which include: the increase in mortgage assistance, the waiver of stamp duty for refinancing, and the ongoing financial counselling provided through the HomeFund hotline, together with normal services provided by the department. The HomeFund hotline has been well received. I point out to the House and for the information of the honourable member for Heffron that the financial counsellors have regularly dealt with a number of people who are happy with the HomeFund scheme and have expressed concern that the fund might be discontinued. Those people have been assured that their existing loans with the scheme - *[Time expired.]*

Mr BOWMAN (Swansea) [3.58]: I support the urgent consideration of this matter. There could not be any more urgent matter to be discussed and properly resolved by this House. It should be noted that the Government has had a stalling operation in process in relation to this matter - not for two weeks or two months, but for a couple of years. The Government said there was nothing to worry about; there was a tiny handful of people who were a bit behind with their payments. The former Minister for Housing, Mr Joe Schipp, pooh-poohed all suggestions that there was any problem. The resistance to accept that the matter ought to be treated with urgency is consistent with the attitude the Government has taken at all times - that if there is a successful stalling operation, enough people will be ejected, enough people will be bankrupt, enough people will quietly but painfully leave their homes and give up, and the matter will drop out of sight or at least the bad publicity will be minimised.

It is not satisfactory that HomeFund, which came to mean to many people the government way to get a home in New South Wales, is regarded merely as a commercial operation. One might ask why all those who consider they have an unconscionable contract

Page 167

with the Commonwealth Bank, or any other bank or lending institution, would not seek access to the Commercial Tribunal. The simple reason is that, although those banks and lending institutions have public responsibilities, the use of such organisations was not sold to the people of New South Wales, and especially not to those of lesser means, as the way to get a home. HomeFund was sold to people - and

oversold - as the lender of last resort. People were induced, encouraged and, indeed, ultimately deceived into believing that HomeFund would give them a real opportunity to get a home, and that the Government would be sympathetic and reasonable in dealing with any financial difficulties that arose. It is true that there are always some who borrow money but are unable to repay it. That is common ground. But that fact is put forward by the Government as some sort of novel reason why this matter ought to be neglected. The issue has been neglected for too long.

A government hot line came into existence many months after another hot line was in existence. The Government was able to duplicate a hot line in order to belatedly take up its responsibilities. Now it talks as though its hot line is solving every problem and that not many more people are to be dealt with. It may be that we are getting towards the end of the line because so many people have taken the course of bankruptcy or have moved into caravan parks, and tents in some cases, because their financial situations have been overwhelmed by their responsibilities to HomeFund, not to mention the complete lack of sympathy or justice from the Government in acknowledging that by its absolute lack of prudence it grossly expanded the HomeFund operation. HomeFund is a child of the madness of the 1980s and this Government ought to be absolutely ashamed of itself. It ought to be willing to do everything in its power to debate and discuss this matter. It should act in a bipartisan way to do everything possible to deal with the walking wounded in a sympathetic fashion, rather than hope that eventually most of them will just go away. Many have already gone away. Many have given up hope. There is no matter that is more urgent for this Parliament to discuss than this issue. There are people who are disenchanted, whose family lives have been destroyed and whose children feel like orphans. [*Time expired.*]

Mr WHELAN (Ashfield) [4.3], in reply: After 16 years in this Parliament I cannot understand why the Government has had such a heartless and callous reaction to a simple issue. The Government, in an endeavour to organise its priorities, wants me to agree to dispense with the rules. At a quarter past two it asked me to ensure the passage of three bills - the Noxious Weeds Bill, the Rural Lands Protection (Miscellaneous Amendments) Bill and the Liquor (Amendment) Bill. The Government wants them to go through to the second reading stage. That is the Government's list of priorities - noxious weeds over people who are thrown out of their homes; rural lands protection over people who have been forced to abandon their families and who have lost their homes. Is that the Government's priority? That is the argument that has been put forward. The Premier has changed his attitude in relation to this issue. When he was Acting Minister for Housing he did something to improve the lot of those who had been thrown out of their homes, but there was no pledge by him of a moratorium until this legislation came through. If the matter is debated on Thursday and is defeated, no moratorium will be granted.

The Premier did not undertake to grant legal aid to the people who have been banned from receiving civil legal aid, and has stopped people getting to the courts to protect themselves and their families from this act of desperation brought on by the Government's inefficiency. Though it is not basically the problem of the Minister for Consumer Affairs, she inherited it and has done nothing about it. But the person who stands condemned in this Parliament is the former Minister for Housing, who was happy to let this problem co-exist, despite the despair faced by people who were being thrown out of their houses. No wonder people lose faith in politics. No wonder people lose faith in politicians. The Government is saying that the noxious weeds legislation must go through the Parliament, that it is very important and has greater priority than the housing debate. The National Party has an interest in noxious weeds and rural lands protection. Now we know that the tail is wagging the dog and which is the dog and which is the tail. It is clear that the National Party interest is predominantly about rural New South Wales - not about the inner city Liberal Party and what it should be doing to look after its constituency.

There has not been enough public outcry about this matter. A meeting of 1,000 people was held at Plumpton in western Sydney. They met to condemn the Government and to plead for help. This should not be a political matter. Government inaction has led to this bill being produced to Parliament by the honourable member for Heffron. As I said before, this is the first available time she has had to bring the bill to the Parliament. We are asking for something quite simple. We are willing to deal with it out of parliamentary hours. Mrs Grusovin is happy to do it at the end of private members' statements. We are

happy to forgo a member speaking on the Address in Reply. We will do anything to assist the Government in our attempt to have this bill become law. We could defer the matter today until Thursday, after the honourable member delivers her second reading speech. However, there is no guarantee from the Premier that the bill would be expedited through the Parliament.

There is no guarantee from the Government that this bill will not be the subject of a filibuster. The Independents will not let us use the guillotine, because that is their arrangement with the Government, and this matter has to be a negotiated arrangement between the Government and the Opposition. I plead with the Government: the Opposition has done everything possible to enable this second reading speech to be delivered today and to have the matter debated. Those interested in the market-place, those who want this bill, have the right to listen to the private member's second reading speech. It will not cost the Government any time, but I will say this: the Government will be portrayed statewide as callous and heartless in view of the fact that it regards noxious weeds as more important than people, their home ownership and the stability of their families. The Government will never be forgotten for it.

Page 168

Question - That standing and sessional orders be suspended - put.

The House divided.

Ayes, 46

Ms Allan
Mr Amery
Mr Anderson
Mr A. S. Aquilina
Mr J. J. Aquilina
Mr Bowman
Mr Carr
Mr Clough
Mr Crittenden
Mr Doyle
Mr Face
Mr Gaudry
Mr Gibson
Mrs Grusovin
Mr Harrison
Mr Hunter

Mr Iemma
Mr Irwin
Mr Knight
Mr Knowles
Mr Langton
Mrs Lo Po'
Mr McBride
Mr McManus
Mr Markham
Mr Martin
Mr Mills
Mr Moss
Mr J. H. Murray
Mr Neilly

Mr Newman
Ms Nori

Mr E. T. Page
Mr Price
Dr Refshauge
Mr Rogan
Mr Rumble
Mr Scully
Mr Shedden
Mr Sullivan
Mr Thompson
Mr Whelan
Mr Yeadon
Mr Ziolkowski

Tellers,
Mr Beckroge
Mr Davoren

Noes, 50

Mr Armstrong
Mr Baird
Mr Blackmore
Mr Causley
Mr Chappell
Mrs Chikarovski
Mr Cochran
Mrs Cohen
Mr Collins
Mr Cruickshank
Mr Fahey
Mr Fraser
Mr Glachan
Mr Griffiths
Mr Hartcher
Mr Hatton
Mr Hazzard

Mr Humpherson
Mr Jeffery
Dr Kernohan
Mr Kerr
Mr Kinross
Mr Longley
Dr Macdonald
Ms Machin
Mr Merton
Ms Moore
Mr Morris
Mr O'Doherty
Mr Packard
Mr D. L. Page

Mr Peacocke
Mr Petch
Mr Phillips

Mr Photios
Mr Rixon
Mr Schipp
Mr Schultz
Mr Small
Mr Smiles
Mr Smith
Mr Souris
Mr Tink
Mr Turner
Mr West
Mr Windsor
Mr Yabsley
Mr Zammit
Tellers,
Mr Beck

Mr Downy

Pair

Mr Nagle

Mr W. T. J. Murray

Question so resolved in the negative.

Motion for suspension of standing and sessional orders negatived.

ELECTRICITY ACT: DISALLOWANCE OF REGULATION

Mr ROGAN (East Hills) [4.16]: I move:

That this House disallows the Electricity (Installation Safety) Regulation 1992 made under the Electricity Act 1945 as set forth in the notice appearing in *Government Gazette* No. 130 of 30th October, 1992, at page 7951 and tabled in this House on 17th November, 1992.

Members of the Institute of Electrical Inspectors, who represent the installation inspectors employed by all of the electricity supply authorities, the county councils and Sydney Electricity, have raised with me their concern that, while they do not disagree with the principle of deregulation, they nevertheless are concerned that - the regulation having been in the preparation stage for two years prior to its gazetting last year and its introduction from 1st January this year - insufficient time was given for those employed in the industry to fully understand and accept these new responsibilities placed upon them by this regulation. We are talking about the deregulation of the inspection system that currently applies for electrical installation throughout the State.

The regulation had its beginning with working group No. 19, which comprised the Office of Energy, the Institute of Electrical Inspectors, the Electrical Contractors Association of New South Wales, the

Electrical Trades Union of Australia, Sydney Electricity, Shortland Electricity, Northern Rivers Electricity and Illawarra Electricity. The working party reached agreement in principle to deregulation as outlined in the regulation for which I am moving disallowance today. But, as I indicated at the outset,

Page 169

some in the working group did not agree that the regulations should be introduced without a sufficient period of familiarisation or training for those in the industry. It is also noteworthy that the final report of working group No. 19 was never provided to its members. In other words, the report was never submitted to group members for final approval.

Before I came into this House I worked in the electrical area and I have a number of concerns about the overall principle of deregulation, particularly on the question of safety as it applies to consumers' installations which will be self-tested by contractors. I must be guided by people in the industry - people working daily with electricity. They have indicated to me that if industry is given some time to familiarise itself with the regulations they should work all right. My fears for the overall principle of deregulation have not been allayed by a report from the Queensland Electrical Education Council. Two years ago Queensland moved down the deregulation route followed last year by Western Australia. I understand Victoria is going down that route, as is New South Wales. In a State-by-State analysis of fatal electrical accidents Queensland was ahead. In Queensland 13 persons were killed through electrical accidents compared to 10 in New South Wales. More important, the accident rate was one per 100,000 population. In Queensland the rate was 0.43 compared to 0.17 in New South Wales - nearly two and a half times the rate in New South Wales. These statistics have been broken down into the following categories:

Lack of maintenance accounted for 65% of all electrical accidents in the general public sector with the remaining 35% made up of 9% unsafe working, 8% faulty workmanship, 4% unauthorised and 14% misadventure. Electrical fatalities -

I am referring to Queensland:

- increased from 8 last year to 12 this year. For the first time home handyperson accidents have been extracted from the above official classifications and of the 12 fatal accidents recorded in the general public sector 5 can be directly associated with home handyperson activities. This represents 41% of our total fatalities. One could say that it was because unqualified people were working on electrical installations.

It is of concern that the figures are showing this trend. I am concerned that we are deregulating in this area. I do not have to spell it out to this House, as everyone would be aware, that when one deals with 240 or 415 volts of electricity, which is common in households and elsewhere, one does not get too many chances if one makes a mistake. For that reason those in industry should be given as much time as is necessary for them to become familiar with these regulations. I say this also because the people responsible for testing these installations have told me that, in the past, when they have gone around testing electrical installations, potentially unsafe and faulty work has been submitted by the electrical contractor to the supply authority. Clearly, we need to train those people engaged in installation work. If the regulation remains I understand the Minister will direct that supply authorities continue their testing of electrical installations.

There will be a 12-month monitoring period to see how effective training programs are for 37,000 electricians throughout New South Wales. They must become familiar with what is now required under this regulation. I understand that principally 1,800 electrical contractors will be responsible. If the Minister gives me that assurance when he speaks to this motion, the Opposition will not divide on this question. I will be only too pleased to accept the Minister's assurance in that regard. Much of the pressure for this regulation has come from the supply authorities because, clearly, it will save them money. They will be able to reduce the number of installation inspectors they employ. Naturally, I and the Opposition believe that safety should not be compromised. Electricity can be a fatal commodity.

For that reason the Opposition has moved today for the disallowance of this regulation.

Mr WEST (Orange - Minister for Conservation and Land Management, and Minister for Energy) [4.26]: As the honourable member for East Hills has indicated, he is seeking today to disallow this regulation which was gazetted on 30th October, 1992. It became effective from 1st January, 1993, by repealing the previous regulation. This is a longstanding safety regulation which previously required electrical contractors to notify electricity distributors of all installation work, including wiring, switchboards, socket outlets, switches and the like for appropriate inspection and testing prior to connection by the supply authority. Similarly, the new regulation requires that such installations meet well-accepted standards. However, on completion of the work it must now be tested by the contractor prior to connecting to supply. Under this regulation a contractor would still have to notify the supply authority and the customer that this work was carried out to the required safety standard. The new regulation continues to require inspection but not testing by distributors in circumstances that include, for example, a completely new installation, that is, a home; high voltage installations; work conducted in hazardous locations, for example, a service station; and other forms of electrical work provided for in the regulation.

The new regulation has not been developed in isolation; it has been developed after lengthy consultation with industry. Its principal aim is to improve the quality and safety of electrical contractors' work by imposing on them an obligation to test and certify their work, improve customer service by allowing immediate connection and, in the longer term, reduce unnecessary cost to distributors. The contractors have readily accepted that these new obligations have been imposed on them as a result of these changes. So it is nonsense for the honourable member for East Hills to suggest that this regulation has been rushed through. Its introduction was negotiated with distributors, the Electrical Contractors Association, the Institute of Electrical Inspectors, the Electrical Trades Union and the Local Government Electricity Association since February 1990. So it has been going for three years. The Government has now decided to make further changes. Those changes were explained in detail to all licensed electrical workers and inspectors nine months prior to commencement. At this time 38,000 copies of the 42-page publication entitled "Guidelines for Testing Electrical Installations" have been distributed to all electrical contractors and qualified electricians in this State.

Page 170

A series of 24 seminars were held between April and mid-August 1992. They were attended by 2,500 contractors. Training courses were also set up and are continuing to be conducted by TAFE. The Electrical Contractors Association and the Institute of Electrical Inspectors have been conducting training courses at a fee of \$250. The honourable member for East Hills talks about lack of familiarisation, but there is a lot of familiarisation. The Institute of Electrical Inspectors is concerned about its future within the industry. I ask the honourable member for East Hills to advise the Institute of Electrical Inspectors that it has never been envisaged that all electrical inspections should cease immediately, and that this will not be the case. I have already described the types of inspections that will continue. They obviously occur in hazardous areas. That will not overcome the concern of the honourable member about what is occurring in Queensland, or even in New South Wales, with the number of home handymen becoming involved. Transitional arrangements are in place for the categories of work that will be subject to these regulations, whereby distributors will initially maintain the current level and type of inspections.

Illawarra County Council has indicated that it will proceed with a 100 per cent level of inspections in the first year. The program under this regulation provides a five-year time frame at the end of which there will be only a 50 per cent reduction - not a total wiping out - of the number of inspections performed and the time taken for inspections. This is hardly deregulation without regard for appropriate standards of safety and responsibility. The highest level of safe practice needs to be maintained. The performance of contractors will be monitored by distributors, and reports will be submitted to the Office of Energy on the cause and frequency of any unsafe work. This valuable data will be analysed prior to any agreement to proceed with further reductions in inspections after the five-year period.

The honourable member for East Hills suggested today that the incidence of fatalities by electrocution in Queensland following partial deregulation of its inspection procedures in 1977 is the basis of concern. In fact, in Queensland the effectiveness of the regulations was monitored by random inspections of only 10 per cent of electrical work, whereas in New South Wales a level of 50 per cent is proposed over the five-year period. Therefore the standard sought to be adopted is obviously considerably higher. Despite the implications of the honourable member, it is interesting to note that the average number of fatalities in Queensland in the fixed wiring category, which is really the category we are discussing in this regulation, has decreased by about 50 per cent in the period following the 1977 changes. This reduction continued in the three-year period following further deregulation in 1989. However, there was an increase to three fatalities during 1992; but the Queensland authorities have confirmed that none of those fatalities related to faulty installation work by licensed electrical contractors. It is all very well to talk about broad reports, but having regard to the work that will be affected by this regulation, not one person has died in Queensland as a result of work carried out by licensed electrical contractors.

I accept the sincerity of the honourable member for East Hills, however misguided it might be. I suspect he has not been fully informed of the detail of the regulations and the lengthy implementation program that has been designed to accompany them. Nonetheless, I am prepared to direct all county councils to continue the 100 per cent level of inspections to December 1993, during which period the Government will require the reporting of any incidence of unsafe work. This data will then be reviewed to determine the effectiveness of the new regulations. It will provide the process by which the Government will decide whether the 100 per cent requirement of inspections should be continued or whether the five-year phase-in program as originally designed can proceed.

The honourable member for East Hills is concerned about general deregulation. The very important operational efficiencies that will be achieved without compromising or reducing electrical safety in any shape or form should be recognised. The quality and safety of the work of electrical contractors will be improved by imposing on them a testing and certification obligation. The electrical contractors have shown, by their response to the training manual and their presence at the seminars, that they are prepared to accept the extra responsibility. The proposed deregulation will improve customer service; it will allow for the immediate connection of work undertaken rather than there being, as sometimes occurs, a delay of two or three days in some isolated areas of the State. A reduction in the costs of distributors must in turn result in a reduction in costs passed on to the customers. It is an important move and one that does not involve compromising safety standards. However, I believe, as I have indicated to the House and to the honourable member for East Hills, industry will be given an additional period in which the change can be analysed to determine whether it will work. [*Time expired.*]

Mr ROGAN (East Hills) [4.36], in reply: The Opposition is pleased to accept the assurances of the Minister relating to the monitoring period and the fact that for the 12-month period full testing will be carried out. I wish to respond to a couple of matters referred to by the Minister. He indicated that I implied that these regulations were rushed through. I did not say the regulations were rushed through. I commend the fact that there was a two-year period of consultation.

Mr West: Almost three.

Mr ROGAN: Three, and all the people to whom I referred in my introductory remarks participated in the drawing up of the regulations. The point I was making was that two to three years were spent preparing the regulations - and they were introduced at the end of last year - and they have suddenly come into operation as of 1st January this year. My concern was that this did not allow sufficient time for the industry, its 37,000-odd electricians, and 1,800 or so contractors, to involved, but it is not until the contractors go through a practical training program that they are suddenly

Page 171

confronted with and become aware of the full ramifications of the responsibility that falls upon their shoulders for self-testing.

I can only accept what has been conveyed to me by those who are carrying out the training courses. The Minister referred to the Institute of Electrical Inspectors, which is conducting a course. The electrical contractors, the TAFE, and some of the supply authorities are conducting courses. Their experience is the same as that of the Institute of Electrical Inspectors, which conducts a two-day course. The majority of electricians attending the two-day course feel they should have three days because they did not realise the ramifications and are uncomfortable about the new responsibility. They now have to accept full responsibility for the installation, whether it is in a residential home, a factory or somewhere else. Even though the contractors have a five-year phase-in period and they do not accept full responsibility from 1st January this year, I am fully aware, nevertheless, that the industry is concerned about the responsibility it has to accept.

The Minister referred to the Queensland figures. I did caution the use of those figures. However, they show a trend that I believe should start red lights flashing in Queensland about why that State has two and a half times more accidents per 100,000 of population than is the case in New South Wales. Once people get to know that no electrical inspectors will come to inspect installations when they have additional power points put in, they may regard that as a green light for going ahead and doing the work themselves. They are encouraged by what they understand to be deregulation. The 12-months period will give an ideal opportunity for monitoring to occur. I hope that at the end of that period the Minister will consider tabling a report from the Office of Energy or those who perform the monitoring - obviously the supply authorities will do that, but overriding them will be the Office of Energy, which will have final responsibility - so that we will be able to see the effectiveness of self-testing and monitoring of the deregulation of the industry.

The other matter I should mention, and which the Minister and the Office of Energy might consider, is that even though a number of the training courses are carried out by fully qualified organisations such as TAFE and the Institute of Electrical Inspectors, there is concern that not all of those conducting the courses are fully qualified. The courses are not accredited and do not come within the provisions of the body that is responsible for giving them accreditation. The Office of Energy might give consideration to whether it will be necessary to oversight the courses to ensure that there is standardisation and that the electricians undertaking the courses will be trained by fully qualified people. If that is done, the standard of training will be lifted. I accept the Minister's statement and see little point in dividing the House on the motion for disallowance of the regulation. I look forward to seeing a report at the end of 12 months.

Motion negatived.

BUSINESS OF THE HOUSE

Bills: Suspension of Standing and Sessional Orders

Mr WEST (Orange - Minister for Conservation and Land Management, and Minister for Energy) [4.43], by leave: I move:

That so much of the standing and sessional orders be suspended as would preclude, during the currency of the Address in Reply, the following Bills being brought in this day and proceeded with up to and including the Ministers' second reading speech:

Noxious Weeds Bill
Rural Lands Protection (Miscellaneous Amendments) Bill
Liquor (Amendment) Bill
Registered Clubs (Amendment) Bill

For the assistance of honourable members I indicate that the Government will have those second reading speeches at 7.30 this evening.

Motion for suspension of standing and sessional orders agreed to.

GOVERNOR'S SPEECH: ADDRESS IN REPLY

Second Day's Debate

Debate resumed from 25th February.

Mr RIXON (Lismore) [4.45]: I support the Government's program as outlined in the Governor's Speech. The Governor reminded us that the State Budget reflects the Government's view that good financial management is not an end in itself but rather it is a means of improving living standards and social welfare conditions in a sustainable manner. New South Wales has led the way in financial management and continues to create a business environment that will encourage economic development and employment growth. But Paul Keating and his negative Labor colleagues in New South Wales have done their best to prevent the people of New South Wales from gaining the maximum benefit from the reforms introduced by the New South Wales Government. However, I am confident that after 13th March the people of New South Wales will be able to receive the benefits of a well run Federal Government as well as continuing to benefit from a well managed State Government. Tim Fischer and John Hewson will get rid of a bunch of secret taxes and introduce a much more sensible taxation package.

The financial benefits of the Fightback package will mean that the New South Wales Government will be in a stronger position to continue and expand the services provided for the people of this State. The benefits include an additional \$27 million for TAFE colleges, a huge saving in fuel costs for the public transport system - the State Rail Authority benefiting by approximately \$44 million and the State Transit Authority by another \$11 million. An additional \$60 million will be provided for health services; there will be a reduction of \$90 million in the costs of various goods purchased by the State; and a saving of \$100 million over nine years from the abolition of the superannuation guarantee charge. The State will

Page 172

benefit by approximately \$1,000 million from the Rebuild Australia Fund. Other benefits will flow to the State from the completion of projects such as the third runway at Sydney airport. The flow-on benefits will be welcomed by the people of the Lismore electorate, just as they welcomed the improvement in services during the past five years, in sharp contrast to the 12 years of neglect under the previous Labor Government's administration.

In the past 12 months the people of my electorate have benefited because they have had a Government that is trying to manage better and is providing better services. The assistance to the people through community services ranges from a one-off grant of \$5,000 to Centacare for the Italian day care centre, through to grants to help reduce problems caused to families by the recession, a family support package grant of \$23,870, and another grant of \$37,000 made available to provide a special recession supplement. Those funds have gone to organisations such as St Vincent de Paul, the Salvation Army, neighbourhood centres and others that are trying to overcome the problems caused by Paul Keating and his mates. An amount of \$68,276 has been provided for supported accommodation assistance for homeless people and those in crisis.

Centacare is trying to establish respite care service for the people of the Lismore district, and \$25,000 has been provided for that purpose. So the list goes on. Under round seven of the home and community care program, \$227,000 has been granted, with a further enhancement of \$81,000 on top of that. Those are the sorts of things a caring Government makes available for people in need. If people in country areas are to have the benefits they require, it is important that they be given that type of assistance. The Department of Sport and Recreation has been able to assist people in my electorate to provide for themselves by working with them in regard to a number of facilities that they would not otherwise have.

A guaranteed loan of \$120,000 has been made for the provision of tennis courts. Grants of \$4,000 and \$5,000 have been made for country athletic schemes. The provision of these funds will enable young people in country areas to travel to coaching facilities not provided in their area. The North Coast Academy of Sport has been given \$40,000 for an elite athletes' development program. This will encourage country people to provide for themselves and to develop expertise in a whole range of sports. When I was elected to this House in 1988 it was rumoured that the former Labor Government was going to close the branch railway line from Casino through to Murwillumbah. That closure will not take place under this Government. A modern XPT train now uses that line daily. The Casino railway station facelift has just been completed at a cost of \$300,000, and the Lismore railway station facelift cost \$430,000. Government initiatives have resulted in increased numbers of passengers travelling by train to the North Coast and it is often difficult to obtain a booking. Soon we will be welcoming extra rail services to the North Coast. Of course, in June sleeper carriages on the XPT will be introduced.

Mr Irwin: Who took them off?

Mr RIXON: Those sleeper carriages disappeared because the former Labor Government did not maintain the carriages. They were worn out because the necessary capital works were not carried out. If the present Government had followed in the footsteps of Labor, the whole North Coast line would have been closed down. I am pleased that over the past five years a complete turnaround has occurred. It is also pleasing that Hazelton Airlines is now providing a service into Casino and Lismore three times a day. If honourable members are travelling to the best part of the State, they should become aware that this service is one of the most comfortable available. I express my thanks to the Minister for Transport for all his efforts in that regard.

The Minister for Planning, Mr Webster, introduced an area assistance scheme, which has assisted many people in my electorate by providing community centres and upgrading local halls and transport facilities. The scheme has provided facilities too numerous to mention, but the total amount provided is \$111,315. This Government has provided funds for roads in the Lismore electorate, double the funds provided by the former Labor Government. At last work is being carried out on the Summerland Way and the Bruxner Highway through Lismore. With the forthcoming Federal election I noticed an advertisement by the local Labor Party candidate for Page claiming credit for gaining funds for the Bruxner Highway and Summerland Way. Yet not one cent of funds from the Federal Government has been spent on maintenance or reconstruction of either of those roads. Once again the big Labor lie. This Government is spending in excess of \$8.961 million on reconstruction, traffic management and road safety. An extra half a million dollars has been spent on the Lismore-Kyogle road under the 3 x 3 program. Fawcetts Creek Bridge in the town of Kyogle is nearing completion, thanks to the management and good planning of the State Government.

This Government has provided funds for public works in country areas. The new sewerage scheme for Nimbin is well under way and will cost \$2.9 million. Improvement to sewerage is also being undertaken at Kyogle. For a long time Lismore has been in need of flood mitigation works, and this Government has taken steps to protect Lismore from the serious flooding that occurs from time to time by undertaking a thorough investigation of the problem; the planning is nearing completion. I am confident there will be protection against one-in-twenty year floods around south Lismore, north Lismore and the central business district. Lismore will become the most attractive regional capital, as it deserves. It has always been a problem in my electorate that students have to leave the area to gain further education. The Government is providing greater opportunity for country people.

A regional technical college is being developed at Wollongbar which will enable students to develop their talents more fully in a whole range of fields. Previously these students had to travel to Newcastle or Sydney. We are also in the throes of a stand-alone

Page 173

university being established. At present the University of New England Northern Rivers campus is in

Lismore. This is one of the fastest growing and most dynamic universities in Australia. From 1st January, 1994, it will become an autonomous university, providing great benefits to the people of my electorate.

A short while ago this House was debating HomeFund as it operates in Sydney. What has happened to HomeFund in Sydney certainly has not happened to HomeFund in country areas such as my electorate. People have had trouble meeting their repayments, and in every case this has happened because of Federal Labor policies. These policies have resulted in people losing their jobs. People cannot make repayments on a housing loan if they have lost their jobs. Some of my constituents have got into trouble with HomeFund because of the economic circumstances in Australia created by the recession. Many people have said to me that they wish to continue with the HomeFund scheme and have asked why others are trying to destroy it. HomeFund has given these people an opportunity they would not otherwise have had to purchase their own home. Surprising as it may be to people from the city, people have bought houses in my electorate for as low as \$30,000 - quite substantial homes - through to \$100,000. If HomeFund had not been in existence, that opportunity would not have been available.

Mr Gibson: That was another Labor initiative.

Mr RIXON: If it was, I congratulate the Labor Party on it. However, before I became a member of Parliament, in my part of the world only half a dozen people were able to obtain loans under a Labor government. Under Labor management, half a dozen people had home loans; under the coalition management, hundreds of people have home loans and are happy to be in their homes. That clearly shows the difference between Labor management and coalition management. People not only are receiving the benefit of actually owning a home but are obtaining the benefit of the capital gains associated with home ownership. Irrespective of to which side of politics the Minister for Housing belongs, this initiative has brought benefits to the people of New South Wales.

More jobs are needed in my part of Australia. Approximately 100,000 voters reside in the Richmond-Tweed area, comprising three electorates, and at the beginning of January 13,500 people were unemployed. If we omit the elderly or pensioners who do not want to work, if we omit students who are not in the work force, if we omit wives or partners who do not want to work, there is a work force of approximately 50,000 in those three electorates. The 13,500 unemployed represent approximately 27 per cent of the 50,000. In some areas the unemployment rate is lower; in other areas it is greater. It is especially high in the younger work force group. It is of concern when people do things that do not encourage sustainable, sensible development but make it difficult to do anything of real benefit to the people. It is interesting to note that the Governor said in his Speech:

A comprehensive Regional Development Policy will be implemented to encourage growth in non-metropolitan New South Wales through the capture of job-creating investment.

A State Environment Planning Policy will be prepared to eliminate unnecessary red tape in the development approval process for major employment-generating industrial developments.

[Extension of time agreed to.]

The Government is doing much to try to encourage the development of jobs in my electorate. The Casino regional employment enterprise group and the Lismore enterprise development agency have set up business advice centres to develop new industries or businesses within their towns. People with good ideas can go to these agencies to gain advice on whether their preparations are correct. The agencies will help them with their preparations, check their figures, and check the ideas. On occasions people have been talked out of starting a business because its chance of success was nil. More importantly, because the agencies have been able to steer many people in the right direction there are now a number of new businesses in the Lismore, Casino and surrounding areas which would not have commenced but for these business enterprise centres. Funding of \$59,447 for the Casino regional

enterprise development organisation, with a further \$81,666 to help in its various other enterprises, and \$103,544 for the Lismore enterprise development agency has been money well spent in helping the area.

My area has a sound agricultural sector, perhaps the most diverse within the State. It would surprise people to learn that the North Coast area produces crops of wheat and barley in the winter, soya beans, maize, corn and a variety of other crops in the summer. Our horticultural industry continues to expand from the Alstonville plateau area through to the Hogarth Range area, where mangoes, macadamia nuts, lychees and almost any crop one would care to name are being grown. However, these crops will not expand and develop to their full potential unless markets for them can be found. The Governor's statement, "My Government will continue to develop an export marketing strategy with emphasis on Asian economies including Singapore, Korea, China and Japan" is of singular importance to the people of our part of the State if the full potential of our industries is to be gained. The Minister for Agriculture recently visited the area, seeing plantations growing tea, coffee, strawberries, lettuce, and a whole variety of crops that many people know are grown overseas, but would not expect to be grown here.

His Excellency said, "The Government will not relent in its fight against the drug trade. In 1993 the Drug Trafficking (Civil Proceedings) Act will be reviewed and amendments made to improve its effectiveness". Law and order is of special significance to the town of Nimbin within my electorate. Nimbin is a small town, a wonderful place

Page 174

in which to live, but it is being threatened by selfish criminal elements involved in the drug trade. At times drug pushers have operated almost openly in the main street, and too often used needles are found in the streets and in the school playgrounds. However, following the Government's actions with regard to law and order, it was pleasing to note an article in the *Northern Star* of 1st March that reported a woman having been arrested for supplying heroin; and a report in today's *Northern Star* of five people arrested and charged with various drug offences. The fight against this evil, which could destroy the lives of so many, must be continued.

Nimbin is one of our most beautiful towns and is worthy of a visit by anyone who has never been there. Together with other towns it could be the centre of a tremendous tourist industry in northern New South Wales. Important towns like Nimbin must be given the opportunity to develop their potential. Not too far from Nimbin is the Nightcap National Park; a little further north is the Border Ranges National Park; and surrounding the area is the Bungabbee State Forest and the Nimbin rocks. It is indeed a beautiful part of the world. If we are going to develop places such as Nimbin to their fullest potential, one thing that must be realised is that the tourist industry can be developed in association with other industries.

Many people realise that the tourist industry can be developed along with the agricultural industry. People visit the area because it is interesting country and provides a range of agricultural activities - it provides for an interesting holiday. An area of concern is the suggestion, by people who ought to know better, that the timber industry and conservation cannot exist side by side. That is completely incorrect. The Bungabbee State Forest is a classic illustration of how the two can co-exist. That State forest was logged fairly heavily in earlier, unenlightened times. In more recent times it has been managed better, with modern scientific developments used in harvesting timber there. Surveys undertaken in that State forest have shown clearly that there are just as many types of flora and fauna there as there are in forests that have not been disturbed at all. In fact, there are probably greater numbers of flora and fauna in the Bungabbee State Forest than in other forests.

It is interesting with forests in that region that one part may have been harvested and other parts may not, yet there will be a greater diversity of flora and fauna in the part that was harvested than in the part that was not. If one knows anything about Australian history and Aboriginal culture one would understand that the Aborigines farmed and looked after the country much better than most people realise. The Aborigines had a systematic process of managing the country, so that as they moved on they burnt it in order to encourage growth, in turn encouraging kangaroos and other animals to return. The

Aborigines would then come back after a period and find the game they hunted. Most of our country has been developed under this disturbance. It has evolved, perhaps over the past 40,000 years, by this sort of disturbance. When we shut up our forests and prevent fires in them, we deny 40,000 years of history. By that action we reduce the number and variety of birds, animals and plants that may be in a particular forest. That matter is of grave concern to me because tourists to the northern regions of this State are interested in the flora, in the animals, birds and butterflies - including the Richmond River Bird Wing.

If we are to maintain the number and variety of flora and fauna in our forests, we must realise that forest harvesting and environmental safeguards can be compatible and can be implemented together so that we receive the maximum benefit from both. I am particularly interested in the debate about the timber industry. In Kyogle, value adding is taking place with the plywood mill. If further value adding is to take place, the timber industry needs to be given a guarantee that a bunch of greenie, twitty environmentalists will not shut down the timber industry. That seems to be the aim of many of those environmental greenies. Their aim seems to be simply the shutting down of industry, not the conservation of animals. If they were interested in conservation, they would take a different view. If they were interested in gaining the maximum benefit for the tourist industry, they would realise that forestry interests, conservation interests and the timber industry go hand-in-hand.

His Excellency referred in his Speech to programs that will take place this year. During the past five years those programs have proved to be of benefit to the people of my electorate, and I am sure that in the coming year they will continue to produce benefits for us. While I am talking of benefits it is interesting to note that Lismore Base Hospital is nearing completion. That means that people on the North Coast will no longer have to travel to Sydney or Brisbane for health services, as they did in the past. Because the region has a network of hospitals, based on the strong Lismore Base Hospital, the people of that area are being served better. One of the things that has concerned me is that the Federal Government was starving the New South Wales Government of funds for medical services. On 13th March I will be pleased when we have a change of Federal Government that will bring greater funding to the New South Wales Government and thus provide greater funding for services on the North Coast. The Governor's Speech outlined a range of programs that will be of enormous benefit to the people of my electorate. *[Time expired.]*

Madam DEPUTY-SPEAKER: Order! It being 5.15 p.m., pursuant to sessional orders the debate is interrupted.

PRIVATE MEMBERS' STATEMENTS

SYDNEY OLYMPIC BID

Mr SMALL (Murray) [5.15]: I wish to inform the House of my intention to help promote the Olympic Games bid for the year 2000 in the hope that

Page 175

Sydney will become the successful city, and Australia the nation, to conduct this world sporting event of great significance. It is difficult for a member who has one of the electorates farthest from the capital city of New South Wales to secure the necessary coverage to help with promotion. Therefore, I have decided to do something that is unique and presents a very big challenge to me in an endeavour to put weight behind our bid. I am going to ride a bike to every school, town and village within the electorate of Murray, conveying messages in a bipartisan manner of sharing the Olympic spirit. Those messages will be from the Premier, the Leader of the Opposition, the Minister for Education, the Minister for Sport and Recreation, as well as the Minister for Transport and Minister for Tourism, who is Chairman of the Sydney Olympic Games Bid Committee.

There are 67 schools in the electorate and the total distance by road is 2,110 kilometres. The ride

will start on Monday, 15th March, and conclude on Sunday, 4th April, after a continuous 21 days on the saddle, with an average of 100 kilometres travelled each day. Though this is a bid of great magnitude for the Olympic Games, I also intend to raise money for each school, hospital or aged care facility where constituents are kind enough to contribute a donation for one of these worthy causes. Thankfully, there is great enthusiasm from a large number of people in my electorate who wish to ride with me. In fact, Michiel Conallin, Shire Clerk of Windouran, the shire in which I live, will accompany me all the way, and teachers, farmers and a policeman will join the ride for short distances. Large numbers of schoolchildren will join the ride as we approach or leave a school. Between six and 10 army cadets from Bonegilla, near Albury, will join this promotional ride for the first four days to show their keenness to help our Olympic bid. My wife, Judy, my son, Geoffrey, and Ken Falahey, who is the husband of my electorate secretary, will drive support vehicles.

I also pay a compliment to the Deputy Premier's staff in the southern regional office of the Roads and Traffic Authority. That office has been most helpful in supplying special equipment for road safety measures, such as signs, hazard lights and features to educate children in bike safety. It is important that I identify why so much good can be gained for us by winning the right to hold such an historic event. That it is an historic event is well acknowledged by the majority of countries in the world. The development of Homebush Bay will be of considerable benefit to this State. It is positioned in an ideal area for both land and water events for Olympic competition and has many advantages for a major sporting facility. The construction of a new agricultural showground will create a showplace for primary industry, with a shop window of agricultural commodities. It will help to sell country New South Wales not only to the urban people of Sydney but also on an international level. That site will be easier for country people to reach than the present showground site and it is also central to the vast population of Sydney proper. Just think of the employment that will be generated in undertaking this immense workload and building program of several years' duration, as well as the huge benefits it will establish in Sydney. It should not be forgotten that the large residential area to accommodate 15,000 competitors during the games will be made available to needy families afterwards for long-term accommodation in a lovely environment. What better result could we have to secure a big lift in tourism than having the Olympics, and what it could bring for our State and nation, given that people will travel long distances from overseas to Sydney? I feel confident that tourists will also want to look further afield than Sydney and it will be essential for good public relations promotion of country areas to show tourists the wonders that Australia has to offer. I am hopeful that the Minister for Transport and Minister for Tourism, as chairman of the Olympic committee, will be able to give me as much support as possible and receive me on 4th April when I return to Deniliquin.

EDUCATIONAL VIDEOS

Mr FACE (Charlestown) [5.20]: I should like to voice my considerable concern about an incident which occurred at the Newcastle show, which was held during the latter part of last week, though in no way could the Newcastle Show Association be held responsible for people to whom it leases stalls. The incident involved four young females aged between 11¾ and just over 12 years who had just begun high school - an experience with which they were just coming to terms - and who, with their parents' permission and strict instructions, attended the Newcastle show - a great adventure for four young girls. In one of the pavilions they were confronted by a female who was endeavouring to sell educational videos. She set upon these four young girls and told them that they were obliged to give her certain particulars. She proceeded to ask their names, addresses, phone numbers, how many people were in their families, what courses they were undertaking and at what schools, how many other students were in their families and where they attended school, and what weaknesses they had in subjects they were studying; and she went on to ask them about mathematics and English and other core subjects undertaken by students.

I am not about stifling people in business. Times are tough and they should be able to seek information, but there are proper ways in which to do it. I think everyone in this House would agree that

being forceful with young people in that manner is not desirable. This woman certainly knew how to pick her mark because if the girls had been a little older they would probably have told her to get lost; if they had been any younger she would not have been able to gain much information from them. After speaking with the four girls, I gained the distinct impression that the woman was not operating in an isolated manner but was obviously choosing students of that impressionable age of between 11 to about 13 years. I have not been able to establish who the woman is but my main concern is that at no time did she say what the information was for, and at the end of the

Page 176

conversation, after extracting this information in a fairly strong and dogmatic manner, she informed the girls that she would contact their parents either by phone or at their addresses to ascertain whether they were desirous of purchasing educational films.

I am not complaining about the educational value or otherwise of those films; I am complaining about the manner in which these four young girls were set upon. These sorts of business people follow the show circuit and I believe that the Department of Consumer Affairs should conduct some inquiry into their activities. I realise that with little information the department cannot conduct an inquiry, but I am hopeful that the families of the girls will be contacted. If that happens, I will furnish the Minister with the particulars and ask the Newcastle office of the Department of Consumer Affairs to conduct inquiries.

I ask the Minister for Community Services to ask his colleague the Minister for Consumer Affairs to refer this matter to the Privacy Committee of New South Wales, of which I was a member for four and a half years. I believe that what transpired at the Newcastle show concerning these four young girls was beyond the bounds of reasonableness. Guidelines should be set as to how these people must conduct themselves. I do not propose to name the girls involved because that is irrelevant. However, I believe that this matter should be investigated by the department and that a reference should be made to the Privacy Committee to ensure that this practice does not continue. I am not suggesting that these two girls were assaulted in any way, but this type of practice is not in the best interests of young children, who have enough difficulties today dealing with all sorts of people and are told not to deal with people who are unknown to them.

BARRINGTON TOPS NATIONAL PARK FATALITY

Mr BLACKMORE (Maitland) [5.25]: I should like to speak about a fatality which occurred on 13th February in the Barrington Tops National Park. Along with members of this House, I extend condolences to the family of Gary Charles Pearson, 41 years of age, who was hiking with a number of other bushwalkers in a very secluded area of Barrington Tops National Park. I have been informed that at about noon on Saturday Mr Pearson plunged 75 metres into the swollen Williams River, which is near Barrington Tops, while trying to cross Williams Falls. Mr Pearson was able to swim to the river-bank and was carried to a cave by his fellow hikers, but he died from massive chest injuries at about 4.45 p.m. on Saturday at the scene. The accident was first reported at about 6 p.m. by two of the hikers, who walked for six hours to raise the alarm, but his death was not discovered until some hours later.

The rescue helicopter from Newcastle was called in at about 7 p.m. but subsequently clipped powerlines at the back of Barrington Guest House and crashed. The latest report on the helicopter - funds for which were raised through telethons and subsequent ongoing appeals - is that it is a total write-off and that the insurance payment of \$2.28 million is not sufficient to replace it. Fortunately no-one was injured in the crash; the crew was able to walk away, and two of the paramedics on board the helicopter later volunteered to join a team of police, State Emergency Service members from Dungog and Port Stephens, and two Barrington Guest House staff, Darcy Longbottom and Brad Lewis, who were called to lead the search for the body of Mr Pearson. The search party set off at 6 a.m. on Sunday and located the body, but by that time it was dark. Subsequently they had to spend another night in the Barrington Tops and did not come out until the Monday.

The lives of the search team, organised very capably by Chief Inspector Ray Jenner of Maitland police, and various volunteers were placed in jeopardy.

I was horrified to discover that the Barrington Tops National Park had no management plan of rescue in place. The honourable member for Blue Mountains highlighted this problem last week in this House when he raised concerns about another rescue helicopter which, unfortunately, also crashed. Powerlines and helipads could be shown on management plan of rescue maps. On the Sunday the area surrounding Barrington Guest House was completely overrun by helicopter news teams who arrived seeking to bring the news to the rest of the world via television. But the point is that the lives of those who go in to rescue others are placed in jeopardy. I believe that a management plan of rescue will assure the families of volunteers and service people involved in search and rescue missions that the lives and safety of their loved ones are adequately ensured. This happened within 12 months of two bushwalkers being lost in Barrington Tops. It seems as though these searches are a regular occurrence. Madam Deputy-Speaker, as a former representative of that area, you would be only too aware of these searches. I have asked for co-operation from the Minister for Justice and Minister for Emergency Services, the Minister for Police and the Minister for the Environment. I ask the Minister for Community Services and Assistant Minister for Health, who is in the Chamber, to convey to the Ministers to whom I have referred my request that this plan be enacted immediately so that we do not place at risk the lives of volunteers in the community.

Mr LONGLEY (Pittwater - Minister for Community Services, and Assistant Minister for Health) [5.30]: I will convey to the relevant Ministers the comments of the honourable member for Maitland. The honourable member has rightly raised in this Chamber an important issue. Through the actions of members such as the honourable member for Maitland issues such as this can get the public airing that they need and can be acted upon by the relevant Ministers. The honourable member for Maitland ought to be commended for taking such a strong stand on this important issue.

Page 177

LEGIONNAIRE'S DISEASE

Mr NEWMAN (Cabramatta) [5.31]: Today I wish to raise the matter of legionnaire's disease which exists in many of the water coolers in Sydney and the city of Fairfield. I wish also to raise the matter of the recent contraction of the disease by Mrs Joyce Schembri, a local constituent of mine. Legionella bacteria thrives in most water towers but it becomes dangerous only when it multiplies and gets into the air. People subsequently contract the disease, which has lethal consequences. In April 1992, 37 people in the west contracted this disease. It resulted in five deaths. As a result of Mrs Joyce Schembri contracting the disease I conducted research with regard to necessary safety measures. On this occasion the New South Wales Parliament acted fairly quickly, got legislation through and required disinfectant devices to be attached to water cooling towers. The only problem was that the Department of Health did not get on with the job of regulating. The legislation provided for those regulations to apply from 18th November, 1992, but the regulations were not implemented until 1st December, 1992. Many building owners were not certain what to attach to their water cooling towers. Thereafter equipment was available but approval had not been obtained from the Department of Health.

There are more than 350 water cooling towers in the Fairfield city area, but there have been only 18 approvals by the Department of Health in regard to the new devices. This dosing equipment is essential. It could be regarded as having the same effect as chlorinating a swimming pool. If this equipment is not installed, the legionella bacteria can multiply and the public can contract this disease. The signs of legionella are: high temperature, coughing, muscle aches, chills, chest burns, abdominal pain and diarrhoea. It is necessary to call a doctor fairly quickly. I appeal to the Minister to give this matter urgent attention. I am not saying that this is his problem. I am sure that he is aware of this matter because Fairfield Council has made repeated representations to him. I have written to him and he has acknowledged my representations. It appears that the Department of Health has some hangup in

approving the many applications to attach this specific device to water cooling towers. This is essential for the Fairfield city area, which suffered a great deal last year because of deaths that occurred and problems that resulted. People were fearful of shopping in Fairfield in particular. I am not being an alarmist, but I think there is a need to approve immediately more of these devices. The Minister should look at this problem because the many water cooling towers throughout New South Wales and in the Sydney central business district can be dangerous. I remind the Minister that February and April are our hottest months. There is more opportunity in that period for these bacteria to multiply.

Mr PHILLIPS (Miranda - Minister for Health) [5.36]: I thank the honourable member for Cabramatta for raising this important matter. New South Wales should be proud of the fact that it has the most stringent regulations to control the spread of legionella. New South Wales has established itself as a world leader with its knowledge of legionella. Our public health unit has been recognised as being at the forefront of controlling diseases such as legionnaire's disease. New South Wales is at the forefront of regulation and control of this very new disease. Not a great deal is known about legionnaire's disease. We are trying to find out more about it all the time. After the outbreak that occurred at Fairfield I asked the Department of Health to set up a task force to look at the many engineering aspects that were highlighted during that outbreak to determine whether further measures could be taken. The report of that task force is currently under consideration. I appreciate the representations and the concern raised by the honourable member for Cabramatta, but it is essential for us to respond to the challenge and to ensure that, through scientific endeavour, we find out more and more about legionnaire's disease and its control. *[Time expired.]*

BURRILL LAKE SILTATION

Mr SMITH (Bega) [5.38]: Burrill Lake is situated in my electorate of Bega, which is south of Ulladulla in the Shoalhaven City Council area. I would like to point out the problems faced by the Burrill Lake community. In 1880 a causeway bridge was placed across the entrance to the lake. In 1957 the wooden bridge was replaced by a concrete piered structure. There has been reasonably severe siltation of the Burrill Lake entrance in addition to severe flooding problems during times of heavy rainfall. The residents of Burrill Lake formed the Lake Watch Committee and the Progress Association. Since 1971 those organisations have been lobbying to have something done about the siltation and the causeway, which they believe have an effect on flooding during heavy rainfalls. The Shoalhaven City Council and the Public Works Department engaged consulting engineers Patterson Britton and Partners to prepare a report on the causes of the siltation and flooding of the Burrill Lake area. The draft-only report, called "Burrill Inlet Waterways Improvements Feasibility Study", was released in June 1992. That report differs considerably from the reports of the two committees I mentioned earlier. The report basically states that the siltation of the entrance to the lake was caused mainly by silt that drifted into the lake at the development stage, and by silt deposited by streams feeding into the lake after rains. The report states that the entrance, not the causeway, is the greatest problem with flooding.

The community wants the causeway moved. I agree that if the causeway was moved and a new causeway constructed, at a cost of roughly \$1 million, the entrance would open naturally and would provide access to the sea, preventing flood problems in heavy rainfall. To the present, \$230,000 for dredging has been allocated on a 50-50 basis from public works and the Shoalhaven City Council. I have approached the Deputy Premier, Minister for Public Works and Minister for Roads to consider replacing the causeway with a piered bridge. However, I have been unsuccessful. I have received letters from the mayor of Shoalhaven City Council, Max Atkins, and from

Page 178

the council itself suggesting replacement of the causeway and inviting the Deputy Premier to look at it. I ask the Deputy Premier to look at the Burrill Lake causeway bridge construction and decide for himself whether the causeway is the problem, and whether the report is wrong. Arising from this report, the Roads and Traffic Authority will say there is no way it can get involved - *[Time expired.]*

Mr LONGLEY (Pittwater - Minister for Community Services, and Assistant Minister for Health) [5.43]: I will ensure that the comments of the honourable member for Bega are taken up with the Deputy Premier, because it is a very important issue and one on which it is good to see the honourable member taking such an active stance.

**POLICE-CITIZENS YOUTH CLUB VOLUNTEER
Mr ARTHUR SHEPHERD**

Mr PRICE (Waratah) [5.44]: I wish to raise the matter of Mr Arthur Shepherd, of 34 Maryland Drive, Maryland. Mr Shepherd was injured when working as a volunteer worker assisting with the presentation of a disco at the Newcastle branch of the Federation of Police-Citizens Youth Clubs at Broadmeadow. I have advised the Minister's office that I would be speaking on this matter, and I have traded correspondence with him and with the federation. The matter is serious. This gentleman was injured quite genuinely, and acknowledged so, in September 1991 - some 19 months ago. The accident has caused him to give up work completely. An article in the *Newcastle Herald* dated 13th January, 1993, details Mr Shepherd's injuries. The article reads:

'I was walking off the stage onto the portable stage steps and they collapsed from under me, I broke my leg in two places and later developed thrombosis and was in hospital for an operation in early February.'

I assume that was February 1992. For 12 months this gentleman has relied on whatever income he can obtain from the insurers of the Federation of Police-Citizens Youth Clubs - the FAI Insurance Group. Its public liability insurance covers this arrangement. Mr Shepherd has had to stop work; in other words, his income has ceased, he receives no payments at all. He has received reimbursement for some costs, with \$2,175 being paid to June last year, but the bulk of his expenses remains unpaid. His outstanding current debt, which is with a large private hospital in the Newcastle area, is at \$9,468 and some odd cents. It is appalling that this man has been reduced to a health benefit, and that there is no sign of any reasonable settlement of his compensation matter.

Mr Shepherd has had some rather harsh words with the chief executive of the federation. I have had correspondence with the Minister and with the chairman of the board of the Federation of Police-Citizens Youth Clubs, Mr Carter. I understand, as I am sure does Mr Shepherd, that once the matter is in the hands of the insurance company and its solicitors, there is very little that the federation can do to directly impact on the process of law covering the compensation claim. An ex gratia payment was made by the federation to Mr Shepherd to assist him over Christmas 1991. That is some time ago. I can appreciate the concern and distress suffered by the Shepherd family. There seems to be a marked lack of justice and equity in cases involving injuries to volunteer workers. It is a lesson to all who volunteer their services to a number of organisations. The Government must revise the laws in an attempt to standardise the insurance covers available to volunteer workers throughout New South Wales.

The mere fact that every company has a different policy with different benefits, which are not generally known to the volunteer workers in that organisation, is bad enough; this should be a simple matter of acknowledgment of fault and payment of expenses, at least by weekly compensation payments, to allow the injured volunteer to maintain a reasonable lifestyle. If that cannot be arranged or afforded, we are in deep trouble because the community relies very heavily on volunteer workers. If the same thing happened with Meals on Wheels it would create a major calamity in some areas, particularly for the patients who rely on that support. I appeal to the Government to look closely at this case. If there is any way the Government can assist Mr Shepherd, it should be done immediately. As a general theme I would like to see the laws revised and some standardisation of policies available to all volunteer workers. [Time expired.]

KOSCIUSKO NATIONAL PARK HORSE RIDING

Mr COCHRAN (Monaro) [5.49]: I speak on behalf of the Snowy Mountains Horse Riders Association and residents of Jindabyne, Adaminaby and areas surrounding the Kosciusko National Park. I feel sure I speak on behalf of the honourable member for Burrinjuck who, together with me, has made strong representations over the past six to eight months to the Minister for the Environment with regard to the future of horse riding in the Kosciusko National Park. I commend the honourable member for Burrinjuck for his strong representation and his tenacity in pursuing this issue to the *n*th degree. Together we have joined with the Minister in recognising that recreational horse riding is an activity to be encouraged. Horse riders should be given every opportunity to join with the bushwalkers, skiers and those people who seek to enjoy the wilderness experience in Kosciusko National Park. As one who has spent most of his lifetime riding through the Kosciusko National Park and now passes down the bush craft and skills that I learned from my forefathers, I can say that recognition of this recreational activity is a step forward for horse riders in the State.

The Richmond Foundation in Canberra has taken it upon itself to acknowledge the benefits of horse riding for wayward youth. The foundation now uses the Kosciusko National Park, Namadgi and other recreational areas surrounding Canberra for the

Page 179

rehabilitation of youth. Foundation members take young people from Canberra up into the mountains and camp out in the vast wilderness of the Kosciusko National Park. They use nature's therapy as a way to pacify the wild youth of Canberra and surrounding districts. That in itself defines horse riding as something to be encouraged. It beats the hell out of the pinball parlours of downtown Civic in Canberra and Queanbeyan. I congratulate the Minister on his recognition of this activity. I commend to the House the further expansion of opportunities for horse riders in the Kosciusko National Park and other national parks of which the Minister for Community Services would be aware. People should be encouraged to enjoy a wilderness experience on horseback.

I take the opportunity also of commending the Kosciusko National Park advisory committee for its recognition of this activity. In particular I refer to the supervisor of the park, Ross McKinney, to whom I have spoken this afternoon. This is a giant step forward for horse riders in New South Wales. The Snowy Mountains Horse Riders Association represents the descendants of the Man from Snowy River. The skills of the mountain stockmen are handed down through the association in activities such as the mountain muster that is held annually at Jindabyne. I am sure that, following the good news announced by the Minister for the Environment this afternoon, the Snowy Mountains Horse Riders Association will be delighted to entertain him at next year's muster. The association will provide him with a horse, if he has the courage to take the opportunity, as did his predecessor, to take a ride through the mountains.

The young people of the Snowy Mountains Horse Riders Association and other equestrian organisations engage in these activities for relaxation and passive recreation. They simply enjoy the open space of the mountains, but realise that there is a fragile section of the Kosciusko National Park that they have no wish to traverse. They want to be able to enjoy the open space of the park, fishing and other passive forms of recreation. I congratulate the Minister on his decision this afternoon to recognise these activities. I look forward to his future co-operation in allowing the men and women from the Snowy River region to engage in horse riding.

Mr HARTCHER (Gosford - Minister for the Environment) [5.54]: I thank the honourable member for Monaro for this opportunity to comment on horse riding and its role in the Kosciusko National Park and national parks generally. The honourable member has had a long association with horse riding in the Snowy Mountains. He is well connected to the descendants, the sons and daughters, of the people of the high country, as he has reminded me on many occasions. He has been a worthy and articulate supporter of their cause, which has been commemorated in Australian history and the well-known poem "Clancy of the Overflow" by Banjo Paterson. I do not think any honourable member would wish to curtail the rights of people to engage in horse riding activities in the Snowy Mountains area. However, I am

sure that the honourable member and his supporters understand that there must be an appropriate balance between their right to ride horses and the need to conserve an area that contains fragile sections.

It is appropriate that the National Parks and Wildlife Service should continue to look after those fragile sections. In some areas of the park it is inappropriate that horse riding be allowed. That is why we have the wilderness system and plans of management: to ensure that fragile areas are properly and adequately protected. Ross McKinney, to whom the honourable member referred, is the regional manager. He and the National Parks and Wildlife advisory committee have been working in an effort to develop a systematic plan of management that will allow for the preservation of fragile areas, but also will allow members of the public to ride horses in the magnificent Australian alps where it is appropriate to do so. That is my wish and I believe it to be the wish of the House.

ALLEGED ASSAULT OF MAUREEN CROFTS

Mr GIBSON (Londonderry) [5.56]: I put on the record of the Parliament a situation that I hope never happens to anyone again. It has to do with a constituent of mine, Maureen Crofts, who lives at Willmot. Maureen, like a lot of people, is a mum with four kids. She never harms anyone, lives a pretty good life and brings the kids up the way they should be brought up. She has done it hard over her lifetime, and is the first to admit that she is a bit of a rough diamond; she does a bit of swearing, but apart from that is a very good person. On Saturday, 13th February, she decided to give her sister-in-law a birthday party at her place. It was the first party they had had in their place for almost 20 years. At about midnight there was a knock on the front door. A lady from across the road came over to see Maureen. She complained about the loud music. Maureen said: "Look, we are having a party. The music is not loud". If we thought we were in the right, we would say the same sort of thing. This lady said, "I am a police prosecutor and I am going to arrest you". With that this so-called police prosecutor and her boyfriend took Maureen out of her own home and put her into a car, saying that they had already phoned the local police. They put Maureen in this person's own private car, drove halfway down the road in which they lived, and all of a sudden a police vehicle turned the corner.

The car pulled up, Maureen Crofts was put into a police car and taken. She was amazed at what had happened. She said to the police: "Take me to the f'n police station. If you are going to charge me, take me to the police station". Having lived in the area for a long time, she knew where Mount Druitt police station was. But this police vehicle did not go to Mount Druitt police station. Instead of going to that police station she found out during the drive, or the kidnap procedure, or whatever one wants to call it, that they were taking her for a joyride. These police did not come from Mount Druitt. They came from out of the area - from St Marys. Instead of taking her to the police station they took her to the Dunheved
Page 180

Golf Club. At Dunheved Golf Club the police pulled up and bought a carton of beer. Maureen Crofts was screaming at this time, saying, "Get me to the f'n police station". The police turned around and there were 10 blokes standing at the back of the police car. One of them said to her - and these are his exact words - "Shut up. How would you like these 10 blokes to go through you? You are not a good sort, but they don't give a f..."

Maureen was amazed and became very scared. She tried to talk a bit of common sense into these two police officers and could not do so. She then pleaded with them to take her to a police station and charge her in the way that she should be charged if she had broken the law. But that just did not happen. Finally they took her to St Marys; they dropped her off in front of the Commonwealth Bank in Queen Street, St Marys. She said: "I am not getting out of this f'n car. Take me to the f'n police station". With that the driver of the car - the sergeant - got out of the car, grabbed her by the scruff of the neck, absolutely pulled her out of the car and threw her on the footpath. This lady was left in St Marys without any means of transport or money, and in a state of fear.

The police car drove off and she wondered what she was going to do. A taxi drove down the street

and this lady raced out and jumped in front of the taxi in order to make it stop. The taxi driver drove her to the St Marys police station without charge but he did not want to get involved. Her son and daughter-in-law were present in the police station. They had been looking everywhere for her; they had been to Mount Druitt police station, could not find her and eventually found her at St Marys police station. She was taken back to Mount Druitt police station and arrived at about 1 a.m. or 1.30 a.m. where she remained until 7 a.m. Officers of the internal affairs branch took a statement from her. I have written to the Minister asking that he investigate this case with the urgency it deserves. At this stage this is only an allegation but if members of the Police Service are acting in that manner, we do not need them within the service. I ask the Minister for Community Services and Assistant Minister for Health to pass my concerns on to the Minister for Police. This woman has been through an ordeal; she was virtually kidnapped, manhandled and, though they may not have had anything to do with it, received the threat of being raped by 10 people. She was then physically dragged out of the car. I ask the Minister to investigate this case urgently.

WORONORA RIVER BRIDGE OIL SPILL

Mr DOWNY (Sutherland) [6.1]: I raise a matter that occurred in my electorate last Saturday. At 7.20 a.m. police attended River Road, Woronora and noticed a large oil spill in the westbound lane starting near the roundabout at the corner of Linden Street and The Grand Parade. This oil spill continued down River Road to the Woronora Bridge, then up Menai Road towards Akuna Avenue, Bangor. While driving down River Road the police vehicle began to slide all over the roadway and police actually saw two vehicles which had skidded into a guard rail. Police decided to block the westbound lane of River Road, and westbound traffic was diverted with the assistance of members of the highway patrol. Fire brigade officers were called and attempted to hose off the spill with a dissolvent but that was not successful. Eventually council officers and members of the Roads and Traffic Authority attended and sand was utilised to cover the length of the spill. The westbound lane was closed to traffic from 7.30 a.m. and was re-opened at 11.30 a.m. Unfortunately, at this stage the direct cause of the oil spill is not known but an officer of the Environment Protection Authority attended to take a sample of the oil. At the time the media reported police suspicions that an unidentified truck was involved and either an oil cock was opened or the truck was leaking. Police do not suspect tow trucks in this case. Last year I spoke about a tow truck operator who was pouring oil on the road; however, in this instance police do not suspect this is what happened.

I have spoken several times about the need for a new bridge across the Woronora River and for improved approach roads on the Menai and Sutherland side. This latest incident emphasises the need for upgrading the bridge and approach roads. On this occasion traffic was extended from the roundabout at The Grand Parade to Akuna Avenue, Bangor, a distance of 1.4 kilometres. If a new bridge had been constructed and suitable roads constructed, traffic would have been allowed to move with safety in either direction and there would have been no need to block the westbound lane. Also, the oil plus the solvents used to eradicate the oil would have found their way eventually into the Woronora River. The construction of the RTA's proposed new bridge and road system would have prevented this problem because pollution traps have been provided in the design.

Over the past few years there has been some opposition to the proposed Woronora Bridge. As times goes on that opposition is dissipating because the volume of traffic using the route blocked on Saturday is ever increasing. There is no doubt about the necessity for a new bridge and approach roads. Recently, two accidents, apart from this incident, have brought traffic to a standstill and traffic has had to be diverted through Bonnet Bay. Some opponents of the proposed bridge have suggested that would become a permanent feature if a new bridge is built. I say categorically that has never been on and never will be on in the future. In fact, at a recent meeting of the Sutherland Traffic Committee last Friday I made it quite clear that a strategy for emergency needs to be formulated so that traffic will not be diverted through Bonnet Bay and along the existing track. Also, I suggest that until the bridge is built, articulated vehicles should be prohibited from using the route. Of course, the best solution is to build the

bridge and approach roads. Funding should be provided in the 1993-94 budget for that purpose. I ask the Minister for Roads to pay close attention to the concerns of my constituents. We want the Woronora Bridge now, not in five years' time.

Page 181

MINMI ROAD, EDGEWORTH

Mr MILLS (Wallsend) [6.6]: I raise the status of and funding for Minmi Road, Edgeworth, between its intersection with Main Road 223 and its intersection with Wallsend link road, which is under construction - a distance of 2.3 kilometres. Unless some action is taken, this council road will soon be in for a battering, to the great inconvenience of the Edgeworth local community. More than a year ago a welcome decision was made to expedite completion of the Wallsend link road. This was a decision taken by the Federal and State governments to link the F3 near Minmi to Thomas Street in Wallsend. This was a highway link to go to Newcastle city and Newcastle port, a significant advancement of infrastructure. Originally this link road was to have been completed by 1995 or 1996. However it was expedited. An unforeseen consequence of this expedition and the nature of the interchange at Seahampton - one back from the Wallsend link road takeoff - is that much of the traffic for the F3 and national highway will use this minor council road.

The F3 interchange with the MR223 at Seahampton is waiting to be used, the traffic can enter and exit the F3 at that interchange but traffic cannot travel north on that freeway coming from George Booth Drive, MR223. Therefore, any traffic from the residential and industrial areas of the Wallsend, Lake Macquarie and Charlestown electorates wishing to travel north on the freeway towards Hexham, the New England Highway, the North Coast, Brisbane, and so on, will need to use the Minmi council road to connect with the Wallsend link road at this roundabout north of Edgeworth. There will be light and heavy traffic using the council road at Edgeworth to connect with the freeway. The condition of Minmi Road is not suitable for that purpose. It has a sharp bend, rough surfaces, a narrow alignment, thin pavement, broken edges and is easily potholed in wet weather. On 29th January I made representations to the Minister on behalf of the Lake Macquarie City Council and this subject was item two. Item one was the matter raised in the House last week by my colleague Jeff Hunter, the honourable member for Lake Macquarie. Council is requesting that Minmi Road be designated a main road, from its intersection with MR223 up to the Wallsend link road roundabout to ensure that the road receives the appropriate State funding to enable safe connection to the freeway system.

I strongly support the request from council. The council also asks for \$2.2 million to widen, reconstruct and seal this particular road as part of a package of plans it put to the Minister by letter. At the end of January representations were made by me and by the honourable member for Lake Macquarie to upgrade and reseal the road for safety and to look at work to be carried out on George Booth Drive MR223. It would be unjust to the ratepayers of Lake Macquarie City Council and wrong to expect council to pay from its own funds to improve and maintain this road. The problem has arisen through no fault of the council. The inadvertent consequences have come about because of the way things have been done. Council recently met with the Federal Minister in relation to this problem and other freeway connector funding. Because of my letter, and with the help of the honourable member for Lake Macquarie, council has requested a meeting with the State Minister in relation to these problems. I urge the Minister to accede to that request.

Lake Macquarie City Council cannot afford to pay for that road as construction grants for main roads have more than halved over the past three years since the introduction of 3 x 3 funding. Total construction grants of \$3.7 million in the 1989-90 Budget have been reduced to \$2.1 million in the current Budget. The State Government must act to ensure that the area has adequate and safe connector roads before the F3 Freeway is opened to Lenaghans Drive in December. A meeting should be held and funding committed to preserve the local amenity for the Edgeworth residents. A proper job should be carried out so there are no deaths or danger occasioned to the local people after the opening of the F3 in

December. [Time expired.]

Private members' statements noted.

[Madam Deputy-Speaker left the chair at 6.11 p.m. The House resumed at 7.30 p.m.]

NOXIOUS WEEDS BILL

Bill introduced and read a first time.

Second Reading

Mr ARMSTRONG (Lachlan - Minister for Agriculture and Rural Affairs) [7.30]: I move:

That this bill be now read a second time.

This bill provides a new framework for the control of noxious weeds in New South Wales. It replaces parts of the Local Government Act 1919. Following agreement between the Minister for Local Government and the Minister for Agriculture and Rural Affairs to transfer responsibility for noxious weed control to the Minister for Agriculture and Rural Affairs, a working party was set up to report to the two Ministers on new legislation for noxious weed administration in New South Wales. The working party included members from the two departments, a shire council and a county council. The working party prepared a draft bill which was circulated to and discussed with the Shires Association of New South Wales, the Council of Advice to Rural Lands Protection Boards, the New South Wales Farmers Association, as well as government departments and authorities and local government councils. In general, the proposals received wide support.

The bill draws heavily on the noxious plant provisions of the Local Government Act which have operated for many years but the opportunity has been taken to streamline the administration of noxious plant control and to recognise the practical problems facing local government councils and the landholder. The major changes proposed from the previous legislation are: the administration of noxious weeds control will be under one Minister, the Minister for Agriculture

Page 182

and Rural Affairs. This will ensure that one Minister has control over all activities in the State concerned with noxious weeds, rather than the division of responsibility between two Ministers, as previously existed. Rather than the single category of noxious weed which existed under the previous legislation, which required landholders to continuously suppress and destroy noxious weeds, there will now be four categories of weeds which require varying degrees of control, depending on the circumstances.

The Minister will have the power to declare a plant to be a noxious weed and to declare into which category that weed will fall. The category will determine what action the landholder is required to take and will range from what will be termed notifiable weeds, which the landholder must report to the local council for immediate eradication, to weeds which require continuous steps for eradication by the landholder, through to weeds which the landholder must take all action to prevent spreading. This categorisation of weeds recognises that in practical terms some weeds simply cannot be eradicated and that there is less need for control of some weeds than others. It also recognises that some weeds present more of a problem in some parts of the State than others. My department has been working with councils to determine which categories will best apply to different weeds in different parts of the State. Of major significance in the new bill is provision for the Act to bind the Crown. This means that government and statutory authorities will have obligations as landholders under the Act to prevent the spread of weeds from public land to adjoining land. Such authorities will include the National Parks and Wildlife Service, the State Rail Authority, the Forestry Commission, the Department of Conservation and Land Management, the Department of Water Resources, and the Department of Housing. This is a

significant step by the Government and is in line with its good neighbour policy.

Other changes contained in the bill include increases in penalties for failure to comply with the Act, and provision to allow councils to recover costs for the re-inspection of land and for work done on land on the landholder's behalf. The cost to the New South Wales community of weed control has been estimated as high as \$600 million to \$800 million annually. The cost has been based mainly on the effect of weeds on agricultural lands, although of course noxious weeds do exist in the urban areas and there are additional costs. For example, certain weeds contain toxins which harm and kill animals and others cause allergic reactions, in particular asthma, in human beings. Moreover, there are hidden costs to the community in terms of land degradation and damage to the environment from weed infestations. The effective control of noxious weeds can be instrumental in reducing public health costs as well as agricultural costs. The bill recognises that local government and county councils play a major role in the control of noxious weeds in New South Wales but establishes a framework for programmed and co-ordinated effort at all levels by assigning roles to the Minister, councils, advisory officers employed by NSW Agriculture, public authorities, weeds inspectors employed by the councils, and the owners and occupiers of private land. During the 1980s weeds became epidemic in parts of this State. This legislation is long overdue to try to contain and arrest the infestation of weeds that occurred during those years. I commend the bill.

Debate adjourned on motion by Mr Martin.

RURAL LANDS PROTECTION (MISCELLANEOUS AMENDMENTS) BILL

Bill introduced and read a first time.

Second Reading

Mr ARMSTRONG (Lachlan - Minister for Agriculture and Rural Affairs) [7.37]: I move:

That this bill be now read a second time.

The bill is the result of the first of what will be regular reviews of the operation of the Rural Lands Protection Act 1989 to ensure that it is appropriate for the needs of the rural community in this State. New South Wales has a unique system of rural lands protection boards serving the rural community and it is vital that the legislation under which these boards operate is kept up to date and in line with the community's needs. The bill is intended to achieve that purpose. The most significant change to be brought about by the bill will be the amendment of section 96 of the Rural Lands Protection Act to provide a defence for a person in charge of stock that are being walked or are grazing on or near a public road when some or all of the signs required by the section are not being displayed. When the Act was introduced in 1989 it was felt that the display of warning signs should be made compulsory to ensure that those who drove stock on public roads were properly protected.

However, there have been situations where a failure to display signs exactly as prescribed by the Act has meant that the protection intended by the section has not been available. This has placed stockowners in an invidious position and has led to the display of a proliferation of signs which, in practical terms, are not all necessary. The amendment is aimed at overcoming this problem and allowing a degree of flexibility in the display of signs. The amendment will mean that if a drover feels that the display of a sign in a particular location is not necessary because the possibility of injury to persons or property is so remote, the drover may decide not to display a sign in that location, yet will still have the protection which the section affords. It will also mean that if a drover does display a sign which is subsequently blown down by the wind, knocked down by a passing vehicle or removed by someone else, without the drover being aware of the fact, the protection will still be available.

The amendment will ensure that stock warning signs will continue to be displayed on major traffic arteries, without requiring the display of a warning

Page 183

sign on every sidetrack leading into the route along which stock may be driven. Officers of my department have arranged with the Roads and Traffic Authority for the next edition of the motor traffic handbook to make reference to stock warning signs under section 96 so that road users will be aware of the obligations which these warning signs impose on them. Action is also in hand to reassess the present signs from the point of view of conspicuity and ease of placement and removal, and to develop uniform guidelines for the placement of signs. These guidelines will be promulgated through rural lands protection boards to ensure that appropriate road safety advice is given with the issue of a travelling stock permit.

The bill also proposes a number of other amendments to the Act. Some are substantial. For instance, section 6 of the Act is to be amended to permit a board to operate validly with less than eight directors when a casual vacancy occurs, pending an election to fill the vacancy. As the section presently stands there is doubt that the decisions of a board are valid if taken while there is a casual vacancy on it. Similarly, section 10 is to be amended to widen the range of persons to whom a board may sell or lease certain items and substances. The present section only permits a board to sell or lease to one of its ratepayers, and has proved to be unnecessarily restrictive. There are other persons who may have need of the goods which a board has available, for example a drover walking stock through a board's area may need to purchase stock warning signs. Other amendments will restrict the right of a person to vote in a board election when that person owes rates or other money to the board; will permit an election to fill a casual vacancy to be delayed if the vacancy occurs in July or August in any year so that the eligibility of candidates can be established; and will ensure that if a board's district is divided into divisions, not more than two members of the board may be elected for each division.

The bill makes important amendments to the rating provisions of the Act. Various amendments will be made to clarify the way in which the value of a stock unit is determined. The stock unit is the basis upon which a board calculates liability for its general and animal health rates and it is important that the way in which this is done is clearly understood by ratepayers. Of particular significance, given the present difficulties being experienced by the rural sector, is the amendment inserting the new sections 62A and 62B in the Act. These sections will permit a board, with my approval, to implement a system under which ratepayers may pay their rates by instalments. Such a system will considerably ease the burden now being carried by many farmers throughout the State by enabling them to spread their rate payments over the whole year rather than having to find one lump sum payment. Other amendments to the rating provisions of the Act will exclude a new occupier of land from liability to prosecution for the failure by the previous occupier of the land to lodge an annual return; will create an offence where there is failure to notify a change of address; and will permit a board to write off an overdue amount owing to it if the amount outstanding does not exceed \$10.

The bill also makes a number of amendments to those sections of the Act which contain provisions relating to stock. Various amendments are made to streamline the present system of stock identification by widening its scope and simplifying the procedure under which a stock brand or mark may be registered. The executor of a will or administrator of a deceased estate will be permitted to continue using a brand or design registered to a deceased proprietor for 12 months after the proprietor's death, rather than six months as at present. Other amendments will extend the present provisions relating to walking stock permits, and will remove the present distance restrictions to which stock licences are subject. The occupier of land through which there passes an unfenced road or travelling stock reserve will be excluded from a provision in the Act which creates an offence in relation to unattended stock on that road or reserve. The Act's existing provisions in this regard, if strictly interpreted, would require the occupier to attend his or her stock at all times, a requirement which is clearly impractical.

A number of amendments are made to the Act's provisions regarding travelling stock reserves. In addition to its other responsibilities under section 81, a board will be required to take appropriate steps for

land care and the preservation of native plants, birds and animals. A board will now be required to consult the Director of National Parks and Wildlife before removing timber felled on a reserve adjoining a national park or nature reserve, and an amendment will be made to clarify that acts not specifically permitted on a reserve are prohibited. Various amendments will be made to the provisions of the Act which relate to noxious animals and insects. The present provision under which employees of a board are the only persons - other than noxious animal inspectors and rangers - who may be authorised in relation to the suppression and destruction of noxious animals will be removed. Various provisions dealing with the destruction of feral pigs will be widened. An amendment will also be made to the present provision in the Act relating to the keeping of feral animals by permitting me to authorise the proprietor of a business, in particular a pet shop, to keep two or more such animals without application or fee, and a board will be empowered to supply without charge materials for the suppression of noxious insect nymphs.

The bill makes provision increasing the penalties applicable to many of the more serious breaches of the Act. This is in accordance with an undertaking given by me to this House when the Act was introduced in 1989 that penalties under the Act would be reviewed by officers of my department, and reflects the findings of that review. The bill also contains various other provisions dealing with such matters as the way in which cash payments are to be dealt with following the phasing out of 1c and 2c coins; the way in which a director of a board may

Page 184

resign; extending the protection from liability already enjoyed by individual boards and their directors to the council of advice and its members; clarifying the power to make regulations; and making a number of amendments by way of statute law revision which deal with such matters as alteration of the titles of various officers of the Department of Agriculture following the recent restructuring of the department. The bill contains many detailed amendments of the Act which, taken individually, may not seem to be of much consequence but which, when viewed as a whole, go to ensure that the Act remains vital and capable of serving the ends for which it was originally introduced. The House may be assured that the Act will continue to be reviewed regularly to ensure that that state of affairs continues. I commend the bill.

Debate adjourned on motion by Mr Martin.

LIQUOR (AMENDMENT) BILL REGISTERED CLUBS (AMENDMENT) BILL

Bills introduced and read a first time.

Second Reading

Mrs COHEN (Badgerys Creek - Chief Secretary, and Minister for Administrative Services) [7.47]: I move:

That these bills be now read a second time.

The aim of the bills is to introduce a package of significant new measures and controls to ensure the continuing integrity and security of the liquor and gaming industries in this State. The bills contain measures which have been developed over a long period of time and which have involved extensive consultation with the liquor and gaming industries. The integrity and security of the liquor and gaming industries is important for many reasons. One is the very significant revenue generated through these industries and the benefit that flows to the community from that revenue. There are almost 10,000 licensed premises and clubs in New South Wales, with an annual turnover of liquor in excess of \$2 billion. About 67,000 gaming devices are operated throughout the State, with turnover in excess of \$12 billion each year.

The Government revenue from the industries is of considerable benefit to the entire community of New South Wales. The \$569 million that was paid to the State Government last financial year by the liquor and gaming device industries represents a substantial proportion of the State's revenue base. Licensed premises, and clubs in particular, contribute to their local communities by providing facilities as well as donations to worthwhile social and welfare causes. They also contribute substantially to employment and tourism in the State. The community quite rightly expects that the liquor and gaming industries be regulated so that any adverse effects are minimised and high standards achieved. It is in this context that the package of amendments has been framed. The package is part of a continuing Government program relevant to these industries. That program includes: upgraded facilities for the gaming device evaluation laboratory; full technical evaluation of production models and technical testing of gaming devices in the field; a strict code of conduct for regulatory staff; and the development of standards for the various activities within the club industry.

In the development of the bills, there has been extensive consultation involving the peak liquor and gaming industry associations. That process has been important because it has resulted in a negotiated package that I believe has the overall support of the industries most affected by the changes. Between May and November 1992, all of the peak liquor, club and gaming device industry associations, including the Club Industry Advisory Council and the Liquor Industry Ministerial Advisory Council, had the opportunity to make submissions on the proposals contained in the bills. Meetings were also held with the peak bodies to discuss the proposals. These consultations resulted in many practical suggestions from industry associations and individuals. These have been adopted in the course of drafting the bills. I will refer to the principal objects of the bills. First, the bills aim to improve the integrity and security of machine gaming by introducing stricter controls on the manufacture, supply, keeping, use, operation and servicing of poker machines operated by clubs and approved amusement devices operated by hotels.

The bills introduce prohibitions and controls on secondary and post-separation employment in the liquor and machine gaming industries of key officials employed by the Chief Secretary's Department and the Police Service and introduce controls in relation to key officials being club directors. There are further provisions in relation to the investigation of applicants for liquor licences and gaming related licences and of applicants for positions of club secretary and in relation to investigations of licensees, club secretaries and club directors. The Registered Clubs (Amendment) Bill will prohibit the offer or acceptance of benefits linked to the purchase of poker machines and other goods and services in clubs. There is also provision to clarify the requirements relating to temporary and honorary membership of clubs, and guests of members. The Liquor (Amendment) Bill makes further provision in relation to objections to applications for extensions of trading hours of licensed premises and, if an extension has been refused or revoked, to preclude for at least six months the making of a further application in respect of the same, or a longer, extension.

Finally, the bills seek to tighten the controls over underage drinking, increase the maximum penalties for certain offences, and provide for statute law revision and other matters. The provisions of these bills are comprehensive, and they touch on virtually every aspect of the liquor and gaming laws in this State. The changes are numerous and are detailed in the explanatory material provided with the bills for the assistance of honourable members. There are, however, some significant matters which I will specifically comment on. These issues relate to the integrity of gaming devices, restrictions on regulatory

Page 185

officials, the integrity of applicants for liquor and gaming licences, benefits for members of clubs, and club membership issues. This Government has revolutionised the processes for regulating the availability of gaming devices in clubs and hotels. New and improved technical evaluation processes have been introduced along with technical testing of devices in the field. These practices will ensure that the highest standards for gaming devices are complied with by the industries. The bills provide a statutory framework which strengthens those controls already put in place. For example, the bills contain new provisions which will subject licensed dealers, sellers, technicians and advisers to an annual review process. These gaming-related licensees - some 1,600 throughout the State - will be required to lodge

an annual return with the director of liquor and gaming containing information required by the director.

This new measure will ensure that people licensed to manufacture, supply, repair and service gaming devices are subject to regular review as to their fitness and competence to be licensed. No longer will a licence be a permit to practice for life. Complementing this, gaming-related licensees will be required to wear photo identification at any time they are servicing or repairing a gaming device. The bills also contain stricter controls over the attachment of compliance plates to gaming devices, the movement or consignment of devices, and the disposal of devices. The bills also contain new or modified provisions in relation to defective devices, security of keys, protection of sensitive components of devices, unlawful interference with a device, and illegal advantage gained during the design of a device.

The seriousness of these matters to the security and integrity of gaming is indicated by the range of penalties for the gaming device offences in the bills. The bills introduce maximum penalties for gaming device offences of \$10,000 or imprisonment for one year or both. The maximum penalty which may be imposed for a contravention of the regulations in both Acts is also increased, from \$1,000 to \$5,000. Offences which can attract the new maximum penalty include illegal possession of gaming devices, unauthorised servicing and repair of gaming devices, offences by unlicensed persons, dishonestly making provision to gain an advantage, and unlawful or improper interference with gaming devices.

The Liquor (Amendment) Bill will ensure that there is no doubt that hotels may only operate 10 approved amusement devices on their premises. A proposal was recently made by an hotelier to de-licence part of the hotel premises and obtain a separate hotel licence for that part. That proposal may have enabled the total premises to have more than the maximum 10 devices. The bill will enable the Liquor Administration Board to reject an application to keep a device where there are already 10 devices in premises with more than one hotel licence, unless there is good reason for treating the licences as separate establishments. These new controls over gaming devices, which will make the obligations of licensees, clubs and hotels much clearer, have been canvassed extensively with representatives of the New South Wales gaming device industry.

The next important aspect of the bills is the control of the interaction between regulatory officials and the liquor and gaming industries. The "key officials" provisions are an important part of the integrity measures in the bills. They complete the package because they will introduce prohibitions and controls that protect the integrity of public officials involved in enforcement and regulation of the industry. The bills contain measures which will introduce statutory controls over the secondary employment of police and officials of the Chief Secretary's Department in the liquor and gaming industries. There are also controls on post-separation employment and limitations on regulatory officials serving as directors on the boards of clubs. Those controls are appropriate to apply to the police and employees of the Chief Secretary's Department who have enforcement and regulatory responsibilities over licensed premises and clubs. The principles adopted in the bills are similar to those adopted in the Casino Control Act passed last year. It is also significant that by placing the controls into statute there are monetary penalties available, not only for police and other key officials who may infringe the law, but also for those who may employ them in contravention of the controls.

I now turn to the provisions relating to the integrity of applicants for liquor and gaming licences. The bills will enable the director of liquor and gaming to require consent to the provision of fingerprints, palm prints and photographs from persons applying to hold positions of responsibility in the liquor and gaming industries. The director will be able to obtain the prints and photographs from applicants for liquor licences, including transferees, applicants for gaming-related licences, and applicants for the office of club secretary. The director is already responsible for carrying out extensive background checks on those applicants to ensure that they are fit and proper. Providing these additional powers to the director allows more thorough checks to be carried out. The proposal, which has precedence in the casino control legislation passed last year, has been given careful consideration and has also been canvassed extensively with the industry. The powers are necessary to ensure that the director of liquor and gaming can properly investigate people coming into the liquor and gaming industries in this State.

Next, I refer to the provisions of the Registered Clubs (Amendment) Bill which deal with the issue of benefits to members of clubs. The principle which underpins the whole of the club movement in this State is that clubs are non-profit organisations which exist for the benefit of their members, and as an integral part of the community. In 1990 the then Chief Secretary, the Hon. Garry West M.P., requested the Liquor Administration Board to conduct an inquiry into an emerging practice of directors of clubs being offered overseas trips and other benefits as inducements to purchase particular goods and services. The provisions of the bill now before the House are a result of that inquiry. The bill amends

Page 186

the existing provisions to clarify that only a club and its members may be entitled to receive any profit, benefit or advantage arising from the club's registration unless any such profit, benefit or advantage is derived from dealings reasonably carried out, or contracts reasonably made, with the club in the ordinary course of its lawful business. The bill makes it an offence for a person to offer or provide any benefit or advantage as all or part of the consideration for the provision to a club of goods and services, unless the benefit or advantage is to be received by the club. Any benefit or advantage offered or provided to a club is lawful only in certain circumstances, and a club, or other person, will be guilty of an offence if the club, or person, seeks or accepts a benefit, advantage or offer which is unlawful.

The bill includes two specific additions to the present exceptions from the requirement that any benefit must be offered equally to every full member. The two new permissible exceptions include an advantage which consists only of hospitality in the nature of reasonable food and beverages provided by a poker machine dealer, seller or adviser in certain circumstances and the payment of reasonably incurred out-of-pocket expenses incurred in club duties and as authorised by the governing body. The objective of the amendment is to add to the existing exceptions in the Act. The intention in adding two new exceptions is not to outlaw all other possible circumstances but to clarify two specific exceptions. The two new exceptions added to the law are based on particular circumstances that have arisen, and the opportunity has been taken to ensure that those situations are clarified in the law. The drafting of this amendment has been particularly careful, and in the consultation process the club industry was concerned that the form of words may prohibit certain legitimate and reasonable practices occurring in the industry that are to the benefit of the club movement.

I have given a commitment to the club industry that there is no intention to prohibit reasonable and legitimate practices that are part of the conduct of club business. For example, the proposed amendment is not meant to outlaw the provision of reasonable meals and drinks to club directors while on duty at the club, the reasonable provision by the club of blazers to directors that are worn while on club duty and are part of the corporate image and management of clubs, the reasonable costs of directors attending industry meetings and formal functions representing the club, the reasonable costs of visiting other clubs as part of club duties, and the reasonable costs of attendance at conferences on behalf of the club. Of course, any such practices will depend on their being reasonable in the circumstances of the individual case.

The next significant issue dealt with by the Registered Clubs (Amendment) Bill relates to the eligibility of persons for membership of clubs. The bill provides that a person whose ordinary place of residence is in New South Wales and is not more than five kilometres from the premises of a registered club is not eligible for admission to the club as a temporary member unless the person is a member of another club which has similar objects, or is attending the host club for the purpose of participating in an organised sport or competition. Clubs rules may provide that persons residing outside the five kilometres may be admitted as temporary members. Temporary members will be required to sign in on each day they visit a club - with the exception of those temporary members participating in an organised sport or competition - and a register will be required to be kept for that purpose. The bill defines a new category of member, a provisional member, as a person who has applied for admission as a full member, has paid the appropriate subscription, and is awaiting a decision on the application.

A new definition of guest will also be introduced, which will provide that guests must at all times while

on the club premises remain in the reasonable company of the member who signed them in and not remain on the premises any longer than the member. The bill provides that clubs which have rules allowing honorary or temporary members will be required to display prominently at each entrance where members and guests enter the club the rules relating to temporary membership and a map showing the geographical limits within which a resident of the area is not eligible for temporary membership. The bill also addresses the issue of club advertising. The review of club membership and admission requirements has come about as a result of uncertainty with the existing laws. Those laws have been subject to various interpretations by the courts and police, and the club industry has not had a clear interpretation that could be applied across the industry.

The proposals are designed to clarify the existing laws. They largely adopt existing practices and state them in the legislation to provide a clear statutory framework which will support the objectives of the club movement in New South Wales. The provisions have been developed in consultation with the club industry, and they have the industry's support. The outcome of these changes to the law will mean that entry to a club will be limited as follows: to full, honorary or provisional members; to guests of those members; to members of another club with similar objects; to persons attending the club to participate in an organised sport or competition, or to attend an approved function; to overseas and interstate visitors; and to persons residing more than five kilometres away from the club. Clubs will, of course, continue to be able to make their own rules for admission and membership, provided these minimum requirements are not compromised.

The next principal object involves important changes to the provisions regulating the trading hours of licensed premises. The Liquor (Amendment) Bill will allow local councils to apply to the Licensing Court for a reduction in extended trading hours of licensed premises. Currently, only the licensee, the director of liquor and gaming or the Commissioner of Police may make such an application. The provision recognises the important role of local councils in matters impacting on local areas, such as the trading

Page 187

hours of licensed premises. The Liquor (Amendment) Bill also precludes a licensee who has had extended trading hours refused, revoked or reduced by the court, or reduced by the board as a result of proceedings under the "quiet and good order of the neighbourhood" provisions of the Act, from reapplying for the same, or a longer, extension of trading hours for a period of six months. Similar provision is included in the Registered Clubs (Amendment) Bill, where trading hours have been restricted under the noise complaint provisions. The Liquor (Amendment) Bill will also amend the Act so that objections to an application for an extension of trading hours may be taken by one resident of the neighbourhood in which the licensed premises are situated, instead of a person authorised in writing by three or more residents.

The bill also provides that where an application is made for extension of Monday to Saturday hotel trading hours the court may grant the variation only if satisfied that to do so would not result in the frequent undue disturbance of the quiet and good order of the neighbourhood. This is the same requirement which now applies to hotel trading on Sundays. Currently, the court may grant an extension on Mondays to Saturdays unless it is satisfied that to do so would result in frequent undue disturbance of the neighbourhood. This is an important change which will require the hotelier applying for the extension of hours to demonstrate that sufficient measures will be in place to ensure the continued amenity of the local neighbourhood. To provide some flexibility when the court deals with these matters, the bill also provides for extensions of trading hours to be granted by the court for a trial period.

I turn now to the measures in the bills which address the issue of under-age drinking. The Liquor (Amendment) Bill introduces a responsible adult requirement for minors entering late trading restaurants. That means that a minor will only be allowed to be present in those late trading restaurants - which may operate as late night cabarets between 11 p.m. and 3 a.m. - if he or she is in the company of an adult who is the minor's parent, guardian or spouse, or is in loco parentis to the minor. Both bills introduce a new offence, with a maximum \$1,000 penalty, for a minor who provides false information to obtain documentary proof of age, and an offence with a maximum penalty of \$2,000 for a person who knowingly assists a minor in obtaining documentary proof of age that is false.

The proof of age card has been successful in combating underage drinking, and the new offence provisions will assist in reducing the potential for fraudulent applications. In addition, the Liquor (Amendment) Bill imposes on a person, other than the licensee, who sells or supplies liquor to a minor on licensed premises, the same maximum penalty, \$2,000, as now applies to the licensee. The Registered Clubs (Amendment) Bill also standardises the penalties, with a maximum of \$2,000, for offences by club secretaries in relation to the sale of liquor to minors, minors being on club premises, display of signs relating to minors, and certain other offences involving minors.

Finally, the bills make a range of other amendments to both Acts. The Registered Clubs (Amendment) Bill introduces the same provisions to the clubs legislation that already apply to liquor licensees under the Liquor Act in relation to the conduct of premises and sale or supply of liquor to intoxicated persons. It will be an offence for a club secretary to permit intoxication on club premises, or to permit any indecent, violent, or quarrelsome conduct on the premises. A maximum penalty of \$2,000 is provided. A number of minor statute law amendments are also included in the bills to bring sections into line with standard drafting practices, to correct incorrect references, and also include matters of an administrative nature. Honourable members will be aware that in 1990 the then Chief Secretary introduced legislative changes to prohibit hotels and registered clubs from providing credit by way of cash advances to patrons. The legislation was also amended to outlaw gaming devices capable of providing cash or credit other than as a prize. The aim of those amendments was to ensure that hotel and club patrons did not run up gambling debts.

The bills will carry forward those provisions into the Acts, but they are not changing the former provisions. However, I will reiterate the assurance given to this House in 1990 by the then Chief Secretary. I confirm that clubs and hotels will continue to be able to provide normal credit arrangements for liquor, meals, accommodation or other services. As well, the provisions do not prevent clubs and hotels from cashing cheques in line with normal business practice. I also confirm that the prohibition on cash advances as credit is not intended to relate to the normal payment of salaries and wages that clubs and hotels make to their staff. These bills contain the most extensive changes to the liquor and gaming laws in this State for many years. They reflect the substantial input provided by the liquor and gaming industries throughout the extensive consultation period that has occurred over nearly two years. The proposals in the bills will provide the framework for the integrity of these industries in the years ahead. I commend the bills.

Debate adjourned on motion by Mr Gibson.

GOVERNOR'S SPEECH: ADDRESS IN REPLY

Second Day's Debate

Debate resumed from an earlier hour.

Mr GIBSON (Londonderry) [8.12]: At the outset of my contribution in this debate I congratulate the Governor on the delivery of his Speech. He carried it off as we expected of a Governor. One of the highlights of his Speech related to health care, an issue precious to everyone in New South Wales, but particularly to the people of western Sydney. As honourable members may have gathered from many debates in this Chamber, western Sydney is not serviced with health care as well as it should be. The Governor said that everyone in New South Wales

Page 188

would be treated the same and that health care should be affordable to everyone. I agree that they should be. However, western Sydney has a crisis in health care. Beds that are supposed to go to the west are not finishing up there at this stage. Waiting lists in most casualty units in western Sydney are not getting shorter but are getting longer. I refer particularly to little things that might not mean so much

to the Government, but they do to those who need them - services such as speech therapy.

The waiting time for speech therapy in western Sydney is about two and a half years. One cannot get paediatric speech therapy in western Sydney. I notice that moves have been made to change the situation regarding paediatric speech therapy at the Nepean Hospital. The position at present is ludicrous. The average waiting time for kids in that region requiring speech therapy is two years. If anything is to be done about speech therapy, it must be done early in a person's life. The Hawkesbury hospital that was promised in the last couple of budgets has still not eventuated. I note that the Government is still on its line of privatisation. Following the struggle that the Government had in regard to the hospital at Port Macquarie, if an election were held next Saturday for that electorate, the present member would not hold the seat. The same situation applies in the Hawkesbury region. Any Government member who holds a seat in that area will suffer the same fate if the Government tries to privatise the hospital there.

People in western Sydney have been denied a lot of health care. Promises have not turned into reality. Dental care is another problem, particularly for the underprivileged who seek to get dental care through the polyclinics or other similar set-ups in western Sydney. I have had people come to my office virtually crying with toothache. There are supposed to be four dentists at Mount Druitt polyclinic, but there are only two. It is almost impossible to get someone to see a dentist at the polyclinic for urgent attention. Not long ago I managed to get one woman in to have attention. After six weeks the clinic put in a temporary filling and she was told to come back in about 12 months to have the permanent filling done.

Another fellow in western Sydney has been told he will have to wait for two years before he can get treatment. The decay in his teeth is unimaginable, for the simple reason that his teeth have been neglected. The only reason for that is that a dentist has not been available for him to see. Instead of having two or three teeth that required filling, this poor fellow does not have a tooth in his head that does not need filling. He sucks soup through a straw, as that is about all he can eat. Unfortunately, he has been told that it will be about two years before he can get dental treatment. Those things are urgently needed in my electorate. The Governor also highlighted the establishment of the medical Complaints Unit, as he should have done. If it worked appropriately in New South Wales I would agree with what the Governor said.

I should refer to a couple of relevant case histories. One is Camille Hurst. Hers is a very interesting story, but the scenario is even more interesting. Camille Hurst was sick as long ago as May 1985. After going to the doctor she was sent to a specialist and finally to a Dr D. Reid, a gynaecologist, and a Dr A. Brooks, who assisted him to operate on her at Minchinbury hospital in May 1985. Camille Hurst went into hospital to have a cyst removed from her right ovary. She came out of the anaesthetic and had excruciating pain on the right side of her back. They could not explain why at the time. On the sixth day, when she was due to be released to go home, the wound opened and the infection that oozed out of it, in her own words, had to be seen to be believed. She was transferred to a private room in Minchinbury hospital, mainly because she was a very sick lady at the time, but also because of the offensive odour from the wound. Dr Reid turned up, took one look at her, did some tests, performed an examination and said, "Oh my God, I have perforated your bowel".

Then a second opinion was called for. The doctor who gave the second opinion said that it was not a perforated bowel at all; he put it down to a germ she had picked up. Camille Hurst was in hospital for approximately 11 days. She was sent home from that hospital with an open wound that had to be treated daily by the local nursing sisters. On the fourth day after she returned home the infection started to ooze from the vaginal passage. She was admitted to the Mount Druitt Hospital as a very urgent patient and was an extremely sick lady.

She spent a further 10 days in Mount Druitt Hospital. After they had conducted continual tests on her they came to the conclusion that this lady was not suffering from a perforated bowel but from an

infection that had been caused by the thread used in the stitching after the operation. She went home and was in severe pain all the time. She was visiting a friend about two months later when all of a sudden she could not control her urine. The infection had set in again. After numerous tests it was found that the right urethra had been damaged in the operation when the ovary was removed. She was transferred to Westmead hospital where a delicate operation took place.

Following those three encounters in hospital Camille was left with only 25 per cent function of her right kidney and an ugly scarring along the hair line. She has been told that there is a grave possibility that she could lose the kidney altogether. Even now not a day goes by when this woman is not in a lot of pain. Camille Hurst started proceedings because she felt there was a strong case that somebody might have messed up this operation somewhere along the line; it may have been the doctors or it could have been something to do with the hospital. Eventually she made a complaint to the medical Complaints Unit in 1987. I have obtained documentation from Minchinbury, Mount Druitt and Westmead hospitals and the medical Complaints Unit found that there was no case of malpractice to be brought against the doctors, hospitals or anyone. On the surface one may say that is fine, but the medico-legal advisers for the Medical Consumer Association, in speaking of Camille Hurst, said:

Page 189

While her mental health has improved since, the prognosis for the full physical recovery is at best uncertain, at worst poor. The documented and proven damage to her right ureter as a direct result of her surgery in 1985, the delay in the diagnosis - and the consequent management - have all contributed to development of right chronic pyelonephritis. Unfortunately, it is beyond effective treatment.

He continued, and it is important that we note this:

In pelvic surgery, irrespective of obesity or post-surgical adhesions, the ureter should be clearly identified to avoid damage. Whether Dr Reid made an error or was negligent is debatable: it is at best left to the court to decide after hearing experts from both sides. However, on the facts, there is a clear probability of malpractice on two issues: damage to ureter: failure to diagnose and treat before complications (fistula and kidney damage) set in.

That is a fairly strong diagnosis by a doctor who had nothing to do with the case. On 17th March, 1987, this matter was referred to the medical Complaints Unit and on 22nd May, 1990, the unit reported to the patient that no evidence of malpractice had been found. That took three years after the initial complaint, and a serious complaint it was. It was my view that Camille Hurst had been treated shabbily and under the freedom of information legislation documentation was obtained from Minchinbury hospital operating theatre for that day. Camille was operated on on 29th May, 1985. At the start of this long operation that went totally wrong, 15 Raytex swabs were used, a further five were used during the operation, then another five and then a further five. So, having started with 15 swabs and used another 15 during the operation before Camille was stitched up, the staff - as is normal with any operation - had to account for the number of swabs used in this operation.

On that particular day at Minchinbury hospital although a total of 30 swabs were used the document I received showed that the final count was 25. It is there in black and white. This suggests that a mistake was made by somebody. For two months she suffered terrible pain, had a massive infection that could not be accounted for and could not be cured. This leaves the possibility that this woman was left with five swabs inside her. If that is not so, and no mistake was made in the operation, there should have been on the document a notation that five swabs were not used, but there was no such notation. Therefore, we can only assume that 30 swabs were used, 25 were accounted for, and therefore five were left inside this lady. If the medical Complaints Unit is as efficient as the Governor said at the opening of Parliament last Wednesday, I ask a simple question of the Government: why was this document overlooked during the three year investigation of this case? The Government and the Minister should

reopen the case with the medical Complaints Unit as soon as possible.

On 22nd November, 1989, a seven-year-old boy by the name of Nathan Brown took ill and was taken to Mount Druitt Hospital. All in all he spent three days in that hospital and the doctors could not diagnose what was wrong with him. On the third day his father visited and was so distraught when he saw his son in pain that he picked him up and took him to Blacktown District Hospital. Within a half an hour the doctors diagnosed this boy as having a twisted testicle. They operated on him but it was too late and this seven-year-old lost his testicle. His family approached me and on 4th December, 1989, I made representations to the Minister for Health. The Minister stated that the matter had been referred to the medical Complaints Unit as it was a serious case and it would be ascertained whether anything untoward had happened with the little fellow at Mount Druitt Hospital or whether any doctor could be held liable for malpractice. The medical Complaints Unit did the same thing; it investigated the case thoroughly. Though I made representations on 4th December, 1989, I did not receive a reply from this great organisation until 22nd December, 1992.

If the health system in New South Wales and the medical Complaints Unit are up to standard, we have a lot to answer for. To rub salt into the wound, on 22nd December the Minister wrote to this family and said, "I understand that the delay was due to several staff changes within the unit and the number of complaints under investigation". That is absolutely ludicrous. It is an insult for any Minister to write such a letter. I have more faith in the Minister; one of his bureaucrats would have written the letter and the Minister has signed it. The Minister thanked me for bringing the family's concerns to his notice. He stated, "I trust, however, that the Complaints Unit investigation report clarifies the situation in relation to care afforded to Nathan by doctors at Mount Druitt Hospital". That is an absolute disgrace and I ask the Government to investigate that unit post haste.

The Government placed great emphasis on education. Quality education should be affordable for every child in New South Wales and should not be dependent on how much money one has in one's pocket. The Government and the bureaucrats have set up a ludicrous education system. Plumpton High School is one of the leading high schools in New South Wales for performing arts. Many parents are seeking to enrol their children into this school. This year 25 per cent of the new placements were allocated on the level of achievement for the performing arts. My electorate has grown 4.99 per cent in the past two years. The demographer who draws up the new boundaries for schools has done a wonderful job at Plumpton on behalf of the Minister for Education. Glendenning is a fast growing area to the northeast and the demographer and the Minister have placed the new boundary outside the front door of the school. [*Extension of time agreed to.*]

This means that children on the school side can attend Plumpton High School but the children who live across the road cannot even go to their own high school. On Friday night a meeting was held and the parents stated their concerns about this matter. So they should. One family of seven who live across the road from the front door of this school cannot send their children to their own local high school mainly because the boundary has been drawn straight down the middle of the road where the Plumpton High School is today. Another scenario at Plumpton High

Page 190

School is where two children from one family have attended the school, with one child completing year 12 last year and another completing year 10; the next daughter this year commences year 7 but cannot attend the same school because she is now outside the area. Plumpton High School this year received 300 applications for 200 positions, but 52 of those positions were filled by children from outside the school boundary area because the school is classified as a centre of excellence for the performing arts.

Centres of excellence are needed in western Sydney but they should be for the children who live in that area. The scenario is that children will be coming from Glendenning on public buses at taxpayers' expense to attend Plumpton High School. At the same time as those children alight from the buses at least 40 children who live across the road from the high school will be catching a bus at Plumpton High School at taxpayers' expense to be transported to attend a school in another electorate. The Minister for

Education must look at this matter urgently. The formula to fix this scenario is simply to change the boundary. Blind Freddie would have known there would be trouble if a demographer drew a line outside the front door of a high school and told parents who live on the western side of that line that their children cannot go to that high school. Apparently the Department of Education and the Minister for Education did not know that; there was trouble and it must be fixed.

Changing the boundaries or implementing a new building program to build a larger high school on the available land at Plumpton would fix the problem. If children from Glendenning need to travel by bus, they should be transported to some other school in the Mount Druitt area that is not overcrowded. The children from Glendenning should be taken to the high schools in the area that are under quota. Those who live near a school must put up with the being there, even if they do not like it. However, if their own children can be sent to that school, close proximity to a school becomes a plus. It is sheer nonsense that families that live near a school and do not like that fact do not have the right to send their children to the local high school. That is the exact situation at Plumpton. I urge the Government to look at the matter and do something about it.

The Governor placed great emphasis on industrial relations. The Premier placed the same emphasis on the matter when he was Minister at the time the legislation was passed. Whether it is thought to be good or bad, a part of the industrial relations package that was not given any thought when the bill was being debated was security of payment for the worker. Security of payment to the workers is not canvassed in the industrial relations legislation. The TAFE college being built at Richmond in my electorate at long last was the subject of a dispute prior to Christmas. The dispute was not caused by the workers or by the union movement but by a subcontractor going broke. This type of situation has happened before but it is the first time the Government's legislation has been tested. In the past if a subcontractor in the building industry went broke, the principal - the person who has the tender - paid the wages or any entitlements the workers have owing to them. In the particular case I mentioned there is no doubt the workers carried out the work amounting to a total of \$300,000. In direct discussions Mr Alex Stewart of Stewart Brothers Drilling Contractors Pty Limited, the principal in this case, has told me there is no argument that the workers have carried out the work but that under the new industrial relations legislation of New South Wales he is not legally bound to pay them.

Stewart Brothers will be paid for the work but will not be bound to pay the workers. In the past the principal has always paid. This is the first test of this legislation and it is not known what will happen. The workers were employed by Dernfield, which went into liquidation. The workers involved have been on strike for 10 weeks. Many of those workers are young people with young families who live in my electorate and cannot afford to strike, but as a matter of principle they are remaining and showing signs of fighting the atrocity that has happened to them. In years gone by the union movement would approach the company and negotiate an ex gratia payment to the workers. In this case that approach would resolve the problem because Stewart Brothers has admitted that the workers have done the work and should be paid, but as Mr Alex Stewart said to me, "Under the legislation I do not have to pay it". The \$64,000 question is, who is going to pay? Whether it was thought to be right or wrong in the past, the method that worked effectively in the industry for a long time was when the union approached the employer and negotiated an ex gratia payment, the problem was solved.

From the code of practice of the \$30 million royal commission - which achieved nothing - the union movement today has not got the power to approach any firm or employer and suggest an ex gratia payment. On the other hand, though the company is willing to pay that ex gratia payment, it will not pay it simply because by making that payment it fears the Government will look down at it. If the company offends the Government, it is taken off the preferred tender list. It is a catch 22 situation which will lead the industrial relations debate back into this House. Unless there is some security of payment in the legislation for the workers in New South Wales, we will see chaos in the industry. In the particular case I have mentioned it is totally wrong that 40 people have lost their jobs when it has nothing to do with union bashing or any other matter.

If the Government would relent and the Premier were to write to or telephone Stewart Brothers informing them that there was no problem in making an ex gratia payment to the people who have done the work to pay them their wages and their entitlements, that payment would solve the problem. The Government will not do that because it knows if it does it will create a precedent for any other disputes along the same line. At the moment we are at loggerheads with Stewart Brothers. A meeting was

Page 191

attended last week, and the men still have not been paid. Somewhere down the line someone has to pay those workers.

The Governor spoke glowingly about the lifestyle of New South Wales and the way people tolerate each other. A subject I have canvassed seriously over the last six months and will continue to do so for the length of time I am in this House is neighbourhood disputes. The situation exists that if neighbours start a dispute there is nowhere to take the argument. It cannot be taken to the police at this stage because it is not a police matter. It cannot be taken to the local member because it is not a matter that the local member could solve. Where are the problems taken? They are taken nowhere because there is nowhere to take them. When Labor was in office it created community justice centres at Surry Hills, Blacktown, Penrith, Wollongong and there is one at Newcastle, courtesy of the Government. Approximately 500 community justice centres are needed to facilitate every major population growth area. Unless these centres are established the cost involved in neighbourhood disputes in New South Wales will be millions of dollars of taxpayers' money.

I request the Government to fund the research into neighbourhood disputes on a bipartisan basis. Cases exist in my electorate where the police have been called more than 70 times in the last 12 months. That is of great expense to the taxpayer and is a nuisance to the police because it is not a police job. The problems in the west start from nothing - it might start with two or three children pushing each other. The next thing you know, the husbands are fighting and the mothers are engaged in a fist fight. Homes in my electorate have been fire bombed, three or four cars have been fire bombed in one street; gangs in one street fight against gangs in another street. It all starts because, as in this one particular incident, a three-year-old child walked over the corner of someone else's lawn or someone looked at another person giving them the wrong impression with body language.

There is a place at Cranebrook, and I kid you not, where the fence was built up as high as the guttering on the house, with coils of barbed wire around the top of the fence and the bottom perimeter of the fence so that nobody could get into the place. These people have become paranoid about security. Unfortunately, so far one of these cases has finished up with someone being shot dead. Only two or three weeks ago another dispute finished up with a terrible knifing. I urge the Government to look at this issue seriously and to spend money on research, though that will cost a lot. No other country in the world has undertaken research into neighbourhood disputes. In the past few weeks I have spoken at meetings in Perth and in Tasmania, as well as other places. Those places are now adopting what we have here. We have the basis for the community justice centres. It is the only weapon we have against neighbourhood disputes.

These disputes do not occur only in western Sydney. They happen also on the North Shore. Two doctors who are friends of mine have had fist fights. At the moment a member of this Chamber is having a terrible dispute with his neighbour and threats have been made that the member will thump this person. This is a cancer that spreads. Nobody is immune from it. It can happen anywhere and it is happening in every suburb and street in Australia. It is probably happening in every country in the world. But we can lead the field if we are prepared to spend money on research to find out how to handle the problem. The problem we have in suburbia is totally different from what one would find in a country town. I urge the Government to look at the problem and to spend money in this area. I commend the Governor on his Speech.

Mr TINK (Eastwood) [8.42]: I join with the honourable member for Londonderry in congratulating His Excellency on the way in which he executed his duties on the opening of Parliament last week. The

first matter I wish to address relates to His Excellency's comments about responsible financial management. It is my pleasure and privilege to be Chairman of the Public Accounts Committee, which I believe has no small part to play in the process of responsible financial management. One of the issues the committee is examining at the moment is that of internal audit, which, at first sight, makes one's eyes glaze over and puts one to sleep, but it is a crucial issue in the context of financial management in this State and this country generally. Indeed, if one looks at some of the big corporate and government crashes that have taken place over the last few years and examines what is at the heart of them - the AWA case, Tricontinental, Rothwells - sooner or later one finds a problem with internal audit. To that end, last year the Public Accounts Committee had a 90th anniversary seminar on internal audit; no less than 200 people turned up to listen to what was a very interesting program.

This issue is of personal interest to me as I am a member of the council of Macquarie University. No doubt it is of interest to other members in this place and in the other place who are members of boards of management and councils, not to mention every chief executive officer in this State, to contemplate what internal audit means and what the responsibilities associated with it are. One of the first responsibilities is to read the Auditor-General's Report to see what he says about the organisation one is involved with. Having said that, I think it is probably fair to bet that probably very few people do that. To illustrate my point, I should like to spend a few minutes speaking about Macquarie University and some matters that I found quite disturbing. The Auditor-General, in his first report of 1992, volume 1, which became available to the public some time in the middle of last year, made a number of comments about Macquarie University. At page 21 of that report he said:

Matters of concern to audit raised with the University as a result of a 1991 audit include -

the inadequate level of internal audit coverage performed for 1991 and planned for 1992;

Page 192

improvements needed in the financial statement preparation process (including control over accuracy and over production and quality of supporting workpapers);

less than full provision in the financial statements for professorial superannuation, long service leave and annual leave liabilities;

the accuracy of long service leave liability calculation;

improved internal control needed over journals;

the need for improved debtor management;

ongoing attention needed for the development of an effective accounting manual.

What disturbs me about this is that it was not until last Friday night at the university council meeting that these issues were brought to the attention of the council. They were brought to the attention of the council because I tabled the Auditor-General's Report relating to Macquarie University. I said at the time that I did not think it right that it had taken almost seven months for these matters to be formally placed before the council. I thought it was the first duty of the chief executive or senior executive of that organisation to make those issues and the comments of the Auditor-General available to the council or the board at what I would describe as the first available opportunity. I am fortified in this by some recent comments of Mr Justice Rogers.

Earlier I mentioned the AWA case, which involved extensive issues relating to internal audit. Mr Justice Rogers, in one of his interim judgments in that matter delivered on 3rd July, 1992, made a finding that management of AWA was negligent in its failure to establish a proper structure of internal controls, in

the failure of internal audit to carry out any adequate review of the foreign exchange operations, in the failure to follow up such defects and queries as it did raise, and the failure to report to the board that there were inadequate controls and records. This goes to the heart of the issue that I have just raised and indicates the level of concern that has been expressed by a judge in New South Wales. Further, there is the recent evidence of the Auditor-General to the Public Accounts Committee where he indicated that it is typical for boards to be fully informed of qualified opinions by the Auditor-General in relation to organisations. He was asked the following question at the committee hearing:

CHAIRMAN: If there are significant qualifications, such as for example concerns a comment about internal audit performance then that is really something that should come to the Board?

Mr HARRIS: Yes.

These issues go to the heart of the accountability process of financial management of public sector organisations. It is my belief that all members of Parliament who sit on university councils - or, for that matter, anyone who sits on any sort of board or any chief executive officer reporting to a board - have a very active duty to raise these issues and to make sure they are addressed. In defence of Macquarie University, albeit late, it has undertaken to respond comprehensively to the matters raised by the Auditor-General and to look at the question of setting up an audit committee of the university. Lest these sorts of issues be seen as abstract questions, there was a report in the *Australian* of 25th February in relation to Macquarie University indicating that the university was suing three academics whose company allegedly secretly took over the work and profits of the institution's statistical laboratory. The figure of \$450,000 was mentioned in that article. The sorts of issues raised in this context are not insignificant and from the financial management point of view need to be addressed properly as part of the accountability process of any public sector organisation.

I should like to move to another matter raised by His Excellency. I was extremely gratified to note a reference to the fact that the Government will soon consider the question of privacy of individuals and that that will be enhanced by the introduction of a data protection bill. For some time now I have had a private member's bill before the lower House, that is, the Data Protection Bill. I have been having some discussions with the Attorney General in particular about progressing further the issues raised in that bill. I am extremely pleased to note that the Government is now formally taking it up and the matter will proceed. As the Governor indicated in his Speech there are two sources of the sorts of issues that will arise in the bill. One is the report of Mr Roden of the Independent Commission Against Corruption, and the other is the Privacy Committee's approach to these problems. The ICAC did an excellent job in drawing attention to the extent of the illicit trade in government information. But I do part company with Mr Roden on a number of his recommendations. I will be pressing the Government to pursue the strategy that is already in place in my private member's bill, one which is also supported very strongly by the Privacy Committee.

In his report Mr Roden said that all government information should be classified as either available or not available to the public and, depending upon the nature of the classification, it should be either an offence or not an offence to release it, as the case may be. I believe that approach to data protection is wrong and that the Privacy Committee model is to be preferred, that is, that one looks at this question of classifying information not on the basis of identifying and categorising every piece of paper held by the government but rather on the basis of using a definition of private or personal information and building around that a test against which information can be judged. The Commonwealth Parliament has followed that course, other overseas jurisdictions have followed that course, and it seems to be a commonsense approach to dealing with the matter in New South Wales. Ample precedents have been set, the ground is well trodden and I believe it is relatively effective. Therefore, I cannot accept Mr Roden's idea of categorising all information down to the last piece of paper and making it a criminal offence to release it or not release it, depending upon its categorisation.

The other key area where I part company with Mr Roden is in the extension he proposes to the

nature of the information to be covered in any legislation. He wants to extend the coverage of the
Page 193

legislation beyond personal information into information which is, broadly speaking, in the business and commercial area. No evidence exists of any significant problem emerging from his investigation into the illicit trade in information which justifies extending any data protection legislation to cover business and commercial information. I cannot accept that the bill needs to be so wide. On the other hand, I certainly recognise that my draft bill is merely a start and I am sure that the Attorney General, if the Government chooses to go that way, will work to improve it. Rather than having only a Privacy Committee, as has existed for the past 15 years, there is now a need to formalise the whole privacy area under a privacy commissioner or data protection commissioner, similar to the Federal model. But obviously that has significant revenue implications and is a matter for the Government.

Mr Roden looked at some matters in the draft bill in detail. I concede there are some areas which need to be tightened, particularly clauses 8 and 9; clauses 6 and 7 also need to be looked at. However, I have great difficulty accepting some issues that Mr Roden raised. For example, he suggested that wherever people's private addresses are held by the government they should all be held in confidence or, alternatively, they should all be made available publicly. I cannot accept that proposition. I believe there are many instances where for quite appropriate purposes, debt collection and other purposes, people's addresses held by the government should be made available on a properly controlled and regulated basis.

I give the example of a leased motor vehicle. When one has a leased motor vehicle in one's possession, one enters a complicated lease agreement, certain undertakings are given about protecting that property, and undertakings are given as to where the vehicle will be garaged. If the person leasing the vehicle decamps with it, it is not unreasonable that the owner of the vehicle have access to government records of current addresses to find out where the person has taken a vehicle that is not his or her property. That is an entirely sensible proposition. Therefore, I cannot accept Mr Roden's proposition that all addresses should be held confidentially. On the other hand, regrettably, there are many instances where addresses held confidentially or released on an unauthorised basis are literally a life and death matter for far too many people. For example, domestic disputes, unfortunately, all too frequently these days seem to become particularly vicious. Not too long ago a woman was murdered in Lane Cove by somebody with whom she had had a relationship. Her residential address remained confidential but her former acquaintance tracked her down through a business address.

In those cases it is literally a matter of life and death that an address not be made available publicly but be kept extremely confidential. For that reason I cannot accept Mr Roden's proposition that all addresses be made available publicly. The ICAC has performed a tremendous service by raising this issue, in effect going a long way towards putting the data protection legislation within the parameters of the Governor's Speech last week. However, I do not believe that a number of Mr Roden's proposals are appropriate but that the Privacy Committee's approach, which to some extent is reflected in the bill, is the way the Government should proceed, and that is the way I will ask the Attorney General to pursue it. I was very pleased to see some reference in the Governor's Speech to law and justice, particularly the administration of policing. As honourable members would probably be aware, last year the Committee on the Office of the Ombudsman made extensive recommendations on the way in which the Police Regulation (Allegations of Misconduct) Act may be amended to improve significantly the longstanding police complaints process. [*Extension of time agreed to.*]

I was very interested and very pleased to see that the Ombudsman in his report on the Angus Rigg matter indicated that the parliamentary committee's report was a very important part of the changes that he saw as necessary in the administration of the Police Service, particularly in the area of police complaints. Indeed, he has addressed quite an extensive recommendation, 27.12, to the committee's report in the context of the Angus Rigg affair. It was interesting to see in the response by the Commissioner of Police that he indicated support for that proposition. Indeed, both the Ombudsman and the Commissioner of Police in their annual reports last year indicated the importance, as they saw it, of

the committee's recommendations in improving police complaint procedures. I think the Angus Rigg matter has definitely put those sorts of issues at the top of the agenda. I am extremely pleased that there will be some action on those recommendations - I hope in this session of Parliament.

Another matter arising out of the Rigg affair is the question of the former Minister for Police and the Commissioner of Police. Having spent some time over the last couple of years looking at police matters, I have given a lot of thought to the issues raised in this matter. It goes without saying that the relationship between a Minister for police and a commissioner of police is probably one of the most complex in the New South Wales public sector. Of course, the Commissioner of Police has quite complex responsibilities which do not accord with or parallel the responsibilities of other public sector heads. Correspondingly, that makes the position of the Minister much more difficult. I was reminded the other day by Superintendent Jarratt in a Public Accounts Committee hearing that the Police Service is one of the most looked into areas in the public sector. It is looked into by the Independent Commission Against Corruption, by the Ombudsman, by the Auditor-General and by the Parliament. In that sense, in an active way, it is much more accountable, particularly in relation to complaints against the police as distinct from other areas of the public sector.

The fundamental problem I have on the issues as I understand them is simply that the commissioner, for whatever reason, chose to go public without speaking first to his Minister. I have the greatest difficulty in coming to grips with that issue. It does

Page 194

not matter how I look at that aspect, I cannot help but come to the conclusion every time that, in that crucial respect, the commissioner was seriously out of line. The consequences of that step were catastrophic so far as the Minister was concerned. Given the nature of the current Parliament, and given the foreseeability of that likely result, one has to ask oneself whether the commissioner acted appropriately.

As I have said, on every score I think there was a serious error on the commissioner's part which cannot be justified and which had the most draconian consequences for the Minister concerned - out of all proportion to the nature of the issues that were then being raised. If all honourable members dwell upon that they will see that it raises fundamental issues as to the accountability and relative positions of the Minister and the Commissioner of Police. If the matter raised was not one which could properly have gone to the ICAC, the Ombudsman or the Auditor-General, it was axiomatic that the commissioner should have put it to the Minister before going public with it. For that reason I believe the commissioner was seriously in error. It is a matter of great concern, particularly because of the consequences to the commissioner's political master. The responsibility and fate of the commissioner's political master, being a member of Parliament, are the business of the Parliament.

On a local level I was pleased to have the Minister for Transport and Minister for Tourism in my electorate recently to open the refurbished Epping railway station. That has been a longstanding interest of mine. An interesting debate took place a year or so ago as to whether or not the station buildings at Epping should be retained. One of those buildings is the oldest station building on the main line between Strathfield and Hornsby. It is a building of great historical significance. After some fairly lively discussions with Mr Sayers and after some help from the Minister, for which I am grateful, we prevailed upon the State Rail Authority to include those buildings in the upgrade. Now that that has been done and the upgrade is in its final form we can see it is something that was worth while persevering with. The end result is magnificent. It is a heritage statement for Epping and for the way in which council should now proceed to refurbish Epping central business district.

I was also pleased to be informed recently that the Minister has indicated that a lift will be built at Epping railway station to allow access for senior citizens. Epping is a major public transport interchange. Its interchange status is growing rapidly. Its business is increasing every month. The population at Epping tends to be elderly. That facility will be a tremendous boost both to local inhabitants and to the wider community who use Epping station on an ever-increasing basis. I was also pleased to have the

Minister for Police in my electorate late last year to look over some refurbishments at Eastwood police station. The beat policing program is proceeding exceptionally well. With the extra accommodation that has now been provided the beat police are on an excellent footing to be productive in their crucial job.

At the moment the situation overall for the Government is positive. I believe the New South Wales Government is continuing to perform exceptionally well in difficult circumstances. The Governor's Speech to the Parliament on its opening last week provides further direction for the next two years. That will help to keep New South Wales at the forefront of States in Australia during what are proving to be difficult economic circumstances. There is a continuation of the strong economic management we have had in the past. Because of the strong economic management of Nick Greiner we have been able to perform creditably in the economic area over the past few years. When we consider the wreckage that has been left by Labor administrations in the rest of the country it is important for this State's economy to be left in good hands. At the end of the day it gets down to a question of cost and what we can do with our money.

This State has a triple-A rating, which we have been careful to maintain, and therefore we can do a lot more with each dollar we receive. The credit ratings of States such as South Australia and Western Australia have been placed in great jeopardy. Unfortunately those States do a lot less with their taxpayers' money than they would if they had a decent credit rating. They would be spending less money on interest payments and financing their debts; and they would be spending more money on the things that count, such as building infrastructure and providing the sorts of services people should be able to expect from their State governments. I commend his Excellency's Speech. It shows a strong sense of continuing purpose on the part of the Government and a strong sense of financial direction and management in very difficult times; and it provides a very welcome comparison for New South Wales when looking at some of the problems in other areas where Labor governments have mucked things up to an unbelievable degree. I commend His Excellency's Speech to the Parliament.

Mr GAUDRY (Newcastle) [9.12]: The opening of the third session of the Fiftieth Parliament last Wednesday was an important occasion. It was the gathering together of the representatives of the people of New South Wales to ensure both good legislation and good government. It was an occasion to be noted. But there were certain aspects that I found most disturbing. The first was the opulence of the occasion. New South Wales is suffering great difficulty. The finances of the State are not good, as has certainly been shown by economic indicators; yet the ceremony was of such opulence that one would have thought we were in some favoured dependency of the British Empire, with people attired in court dress, the most magnificent displays of flowers, and the inspection of the guard. Whilst that is all very good in itself, to me it was an overemphasis and an overspending when the people of New South Wales are suffering.

The second aspect which I found rather disturbing was that in the present very political climate federally, the Government imposed upon the Governor a Speech which was blatantly political. Members of the Government have said that throughout or towards the end of the Speech, things were said

Page 195

that caused such distress to the Opposition members that they were eventually moved to comment. That comment would be made from feeling that the good government of New South Wales was not being served by a Speech that headed in a political direction. To look at the approach of good government, one need only look at today's business paper and the very sincere attempt by the shadow minister for housing to bring forward an urgency debate on the HomeFund bill and to try to assist the 2,700 HomeFund borrowers in New South Wales who are in serious arrears. More than 1,000 of those people are in arrears of more than three months and are facing eviction from their homes. The Governor said in his Speech that the Department of Housing was undergoing reorganisation, and that would mean more housing options for the community, better use of funds so that more services can be provided, services designed with clients' needs foremost.

The needs of the people in HomeFund should be foremost in the minds of every member.

Marriages are collapsing, debts are escalating with no hope in sight, people are being removed from their houses. They are going in without equity and leaving without equity; they are leaving with a large debt and no thought of improvement in their lives. In that context the Opposition attempted to introduce a bill on that issue, but unfortunately it was rejected, with the assistance of the Independents, so that very urgent Government business could proceed. What was that urgent business? It was legislation on noxious weeds. That is a very important piece of legislation, but it does not take precedence over the needs of people in serious financial and emotional difficulties. The second matter was amendments to amusement machine legislation. That is an important aspect but it certainly does not take precedence over a housing matter of such importance. It certainly showed the direction of the Government in its often-touted statement, "Putting people first by managing better". If that is an example of putting people first, I disagree with it as a philosophy.

In terms of faded dependencies and revivalists, I turn my attention to the front page of the *Sydney Morning Herald*, where mention is made of a revivalist approach and the approach being taken at the Federal Government level. An article by Mike Secombe refers to the launch by the Federal Liberal Party-National Party of their election campaign. The headline reads, "Bring me the lame, the blind, the gullible". That is probably very relevant to the references in the Governor's Speech to the State Liberal Party-National Party philosophy. The article states:

If you took a wrong turn on the way to the Liberals' campaign launch at the Wesley centre yesterday, you encountered a Uniting Church service in a quiet chapel.

If you took the right turn, you encountered a noisy, brash southern-Baptist-style revival meeting. Welcome to Brother Love's Travelling Economic Salvation Show.

You know what these kinds of meetings are like. Some shonk deftly uses rhetoric and a powerful knowledge of the gospel to convince the gullible and the desperate, the blind and the lame, that they will be cured if only they believe strongly enough.

Of course, the believers never are cured. They are called up on stage to testify, but they are sold false hope. They only line the pockets of a predator.

The statements in the Governor's Speech relating to economic direction in New South Wales and the enormous strides that are being taken by the Government could have been replaced with the lead article in the *Sydney Morning Herald*. The statements make no sense. New South Wales is in a period of extreme financial difficulty. The Government runs countercyclical employment policies and countercyclical capital spending policies, because despite what is said in the Governor's Speech on page 6 -

Sustainable employment opportunities are being encouraged by my Government's commitment to ongoing programs, encouragement of private sector development and through substantial increases in State capital works.

- they are only book increases. Last year there was a dramatic underspending in the capital works program across the State. If spending on capital works had been maintained in my electorate it would have done wonders to create employment, but the funds were not spent. So far this year the Government is \$500 million behind schedule in its capital works spending. The capital works program has been underspent by approximately \$800 million in the past calendar year. To understand what has happened in regard to capital works one should bear in mind the countercyclical employment policies of the Government. In this time of economic crisis the Government is continuing with its policy of easing people out of the public sector workplace. Everyone is aware of the employment creating possibilities of the multiplier effect of three to one and the impact that will have on small business and small communities when public sector jobs are removed. In the Newcastle electorate and in the lower Hunter region over the period of the Greiner-Murray Government and now the Fahey-Murray Government more than 6,500 people have been taken out of the public sector and at least another 10,000 jobs are targeted over the

next couple of years. If one takes into account that 50,000 jobs have been cut to date by the Government, then having regard to the multiplier effect one is actually looking at 150,000 jobs lost.

Let me refer to some of the employment cuts that have been made in my electorate. Approximately 280 teaching staff and 80 ancillary staff have lost their jobs. At Newcastle Buses there has been a reduction in employment from 446 to 334; 450 jobs have been removed from the cleaning area - a lot of them women and migrants who were seeking to add to family income so that their children could get a fair go. Also about 200 jobs have been taken from the State mines. Across the State 4,500 workers have lost employment with Pacific Power since 1988, approximately 2,000 of them in the Hunter area. Over the next two and a half years the State Transit Authority, the Sydney Water Board, Pacific Power, the Electricity Council, the Hunter Water Corporation and the State Rail Authority have been targeted for further job cuts. All of this is happening at a time of severe economic difficulties. While speaking about capital spending and its effect on the region I should

Page 196

refer to the fact that the Federal Government has spent more than \$94 million on capital works in the Newcastle area in the past few years.

Madam DEPUTY-SPEAKER: Order! The honourable member for Coffs Harbour will cease interjecting.

Mr GAUDRY: When considering the real growth and potential of Newcastle two particular projects funded by Labor governments merit special mention. One is the electrification of the railway line from Sydney to Newcastle and the other is the construction of the national highway from Sydney to Newcastle on which more than \$1 billion has been spent. I know that the honourable member for Coffs Harbour would like that level of spending to continue on construction of the highway further up the coast. Undoubtedly one of the impacts of that spending is that it has not only enabled an economic and social link between Sydney and Newcastle but also has provided the potential for great economic growth in the Newcastle area as it has placed that city much closer in time to the Sydney market and to the export market through Sydney. Newcastle has strong community support and direction for development of its own port. The whole of the Newcastle community is behind that proposal. The Newcastle community has a great feeling of pride in the revitalisation that has occurred in that city since the earthquake. That feeling of pride has been promoted especially since Newcastle was adjudged early last year to be Australia's best city in which to live, gauged on many varied indicators.

In two specific parts of Newcastle that renewal and revitalisation stand out. The first is Hamilton, which was devastated in the earthquake, and the second is around The Junction. In the past couple of years there has been a strong response through private sector investment and community participation to ensure that they are top areas in which to live and to work and for recreation. As a result of all those initiatives there has been an increase in property values in Newcastle, which has been reflected in the revaluations last year compared to those done in 1984. Those revaluations reflect the improved lifestyle in the district and are impacting heavily on less wealthy people in Newcastle who have experienced great difficulty. I turn to deal with the pivotal development in Newcastle, the Honeysuckle project that is being kicked along by the Federal Labor Government, which has guaranteed \$70 million towards the project through its Building Better Cities program. The State Government has come to the party by contributing \$30 million, so that \$100 million will be injected into the community over the next four years.

I was concerned when last Thursday the Premier rather tardily brought before the House the State Treasury paper and I learned that Treasury had advised that if there were a change of government the incoming Liberal Party-National Party government would abolish the Building Better Cities program on the date of its election. It would undertake, of course, to fund the contractual commitments. But that announcement put a big question mark on that prospective government's commitment to a continuation of funding for that important program. Certainly that statement was made public in Newcastle. John Hewson quickly said that he would honour the contractual commitments in the Rebuild Australia program, which is an infrastructure program and is not directed towards housing. The Building Better Cities

program has a target for about 50 per cent of its funding to go towards housing. That big question mark still remains. [*Extension of time agreed to.*]

The Hon. Bryan Vaughan and the Labor Party caucus industry committee recently toured Newcastle and the lower Hunter area to inspect industries, particularly the larger ones in the region. They discussed with industry leaders aspects of development in the area. Two or three significant points arose. The first was a clear statement by industry leaders that workers in Newcastle were committed to world best practice, to the export market and to ensuring that Australia sustained its markets. They epitomise the types of companies that have led to Australia's excellent performance in achieving the balance of payments reported in this morning's *Sydney Morning Herald*. The current account deficit has fallen to \$489 million, the lowest monthly seasonally adjusted deficit for five years. That is an excellent result and shows, as the Prime Minister said, that Australian workers and manufacturers are leading the export drive and picking up on research, development and commitment to export. The nonsense that has been talked about on the other side of the House has been destroyed by the figures. That is pleasing to note.

The other matter of concern in the tour of Tomago Aluminium, AWI, Broken Hill Proprietary Company Limited, National Textiles and Alcan was the impact of technology on those workplaces. Tomago Aluminium has a kilometre-long pot line - from, say, here to St Marys Cathedral - producing a world-class product, manned in any one shift by only seven workers. The same thing was depicted in all the large industries we visited. It was significant that managerial groups in those industries said that as exports and the economy picked up, that did not automatically lead to an increase in employment in their industries; rather, that would be cut out by productivity improvements in the work force. It is important that we provide incentive and every possible infrastructure support. I was pleased that a Government member said that it was a function of government to provide infrastructure support, because that has not been the case during the past four years with the Liberal Party-National Party Government. It has shied away from providing infrastructure support, but perhaps is now moving towards it.

For instance, the Department of State Development is important to places such as Newcastle and the Lower Hunter, which have 8 per cent of the population but produce 15 per cent of exports from New South Wales. How many people are employed in the Department of State Development in Newcastle? Only three. Those people may work tirelessly but would find it difficult to service the needs of the small business community and those

Page 197

seeking to set up business in order to move into the world-class export market. Infrastructure support is certainly needed. Last year one scheme, the minehunter project, was given at least tacit support by the Minister for State Development. Minister Collins was voluble in his support and would be pushing as hard as anyone to have that minehunter built in Newcastle. Three tenderers, Amecon, ASC and ADI, are all committed to build it, but not necessarily in Newcastle. I ask the Minister to give particular attention to providing infrastructure support to encourage those tenderers to build in Newcastle. This \$800 million project would provide hundreds of jobs.

This morning the mayor of Whangarei in New Zealand was speaking on Newcastle radio. He said that his town of 40,000 people had managed to win part of the frigate contract. That town is assisting with infrastructure support, so perhaps New South Wales can do so as well. Dredging works in the launching area and where the launching area enters the Hunter river at the Australian Submarine Corporation site at Tomago would not be a great expense. They would ensure that companies looked more closely at Newcastle as a building site. I refer also to the JetCats which are plying the Parramatta River in Sydney and were built at the Cairns shipyard in northern Queensland. Those vessels could have been built in Newcastle if the State Government had assisted with infrastructure support needed by Carrington Slipways to make its bid competitive. That was not provided and the economic development was lost to far north Queensland.

I am pleased to report increased infrastructure investment from the private sector in Newcastle.

Recently Goninans installed a new, world-class gear-cutting machine. New construction firms and a new computer company, Technology Pty Limited, are establishing in the city. Recently I attended the opening of that company, which is a leader in technology and is keen to corner sections of the market. However, it will not be a large employee-orientated firm. The recent release of a federally funded study carried out by a task force of councils from Dubbo to Newcastle on improvements that could be made to the Dubbo-Newcastle road link shows the determination and enthusiasm for development of people in Newcastle city and the hinterland. An investment of \$60 million would result in a tremendous flow of goods and services between the Far West of New South Wales and Newcastle port, so that is important.

Aspects of urban development have caused much interest as well as concern in the Newcastle area. The Governor's Speech stated that a metropolitan planning strategy and an integrated transport study are being undertaken this year. Those are important studies in terms of the overgrowth of Sydney and its potential failure to cope with future development. Newcastle planning groups have put forward their own strategy to take into account the growth of Sydney, which will result in population movement to the Newcastle area. The clear-cut statement to the Government is that the growth strategy in Newcastle is dependent upon job creation and infrastructure support where that does not exist. There is a determination that Newcastle will remain Australia's best city in which to live. It does not wish to be a dormitory of Sydney, and requests in the strongest terms that infrastructure be supplied first.

I should like to refer to hospital care in the Hunter. There is no doubt that the area has a growing aged population and a growing need for community based health care and outpatient care for the disadvantaged. I ask the Government to look carefully at the proportion of the health dollar expended on outpatient services in the Newcastle area, whether that be for physiotherapy, occupational therapy, speech pathology, dentistry or social welfare services. In my view those funding areas are inadequately serviced and there is a need to take into account the demographic change taking place in the area. I refer again to the haematology department of the Mater Misericordiae Hospital. Last year in my contribution to the Budget Speech I said that the haematology department had been moved from the Royal Newcastle Hospital under a promise that \$4 million would be invested in building a properly constructed ward for haematology patients who have to undergo long periods of isolation while they are in a neutropenic state following chemotherapy.

My wife underwent that form of therapy. From personal observation I can say that the conditions that existed in the Mater hospital, and formerly in the Newcastle hospital, are Third World standard and less than satisfactory. The Government must make that investment as soon as possible so that patients do not have to undergo that treatment in the conditions mentioned of bathing in blow-up wading pools, using commodes and having to sustain themselves when gravely ill in summer conditions of over 40 degrees. No doubt the sooner the money is spent the sooner those patients will receive the excellent health care to match what they already receive from the medical, nursing and ancillary staff. [*Time expired.*]

Mr SMITH (Bega) [9.42]: It gives me pleasure to contribute to the Address in Reply to the Governor's Speech in opening the third session of the Fiftieth Parliament. The Governor commenced his Speech with reference to the Federal economy. Having just listened to the honourable member for Newcastle, I think he must be the only person in Australia who thinks the Federal Government is running the economy in anything like a reasonable way. It grieves me, and I am sure most people within Australia, to find ourselves in this economic position. Considering the size and wealth of Australia with its abundance of natural resources, its advantage with agricultural industries, having a small population, and being a relatively prosperous country as we used to be but are no longer, it rather surprises me that we have been slipping down the world scale of living standards. Our standard of living in Australia used to be number one but we have slipped into a great hole. That result can only be blamed on the present Labor Government in Canberra.

The honourable member for Newcastle told us how the State is not providing employment in his electorate. New South Wales is the beacon on the

hill - the only State that has performed well in a financial sense, coming into the recession at the latest possible time - which could not be avoided because of the Federal policies - and coming out again with good figures in respect of employment and growth. The Federal unemployment figure of more than 1 million people is the tip of the iceberg. That figure relates to only the registered unemployed: if the people who would like jobs but have not registered are added to that figure, it is in the vicinity of 2 million unemployed - it is an absolute disgrace. When the youth unemployment figures are taken into account, it is nothing less than a national disgrace. The honourable member for Newcastle referred to different spending sprees he was going to have in his electorate, recommending that the State should follow his advice and spend more money. It can be seen how the Federal Government managed with its spending spree - in the vicinity of a \$200 billion debt.

At one stage the *Sydney Morning Herald* reported the skiting that our trade deficit - not surplus - was down to the respectable figure of \$500 million for the month. For as long as anyone can remember, there have been trade deficits of between \$1 billion and \$2 billion. It is now down to \$500 million for only one month and suddenly there is skiting about the wonderful job being done - beautiful figures, beautiful numbers the Prime Minister would say! My opinion is that unless the figures are in the black, there is nothing to skite about at all. The people of Australia are sick of waiting for J-curves. Argentina is now skiting because it has the second best Treasurer in the world. I am sure Australia is certain of going down the track that Paul Keating tried to warn us about but did nothing about years ago. New South Wales has had excellent financial management that has been proven time and time again. New South Wales is the only State to have a triple-A rating. Queensland was left in an extremely healthy economic position because of the policies of the previous conservative Government. No doubt the difference will be seen in the not too distant future. Victoria now has a conservative Government after an extremely difficult period with the Cain-Kirner experiment.

My electorate of Bega in the southern part of the State relies heavily, particularly in the tourist industry, on people travelling from Victoria to New South Wales. One could imagine with such problems in Victoria the people would be turning the lights off and rushing to New South Wales. Unfortunately they cannot afford to do that and our tourist industry is suffering. Victoria has had the good sense to change to a conservative Government; Western Australia recently did the same; Tasmania did the same prior to both of those States; South Australia will do the same in the not too distant future; and on 13th March the people of Australia will have the good sense to throw out the Labor Government with Mr Keating and the people who have ruined the future of our children. An Australia-wide concern is the existing implications in processing different projects because of red tape. I would like to relate a story to the Parliament about a recent event in Narooma in my electorate. As legislation is received and voted on - and as we all know, we have a hung Parliament - it is important that some thought is put into it because we are here to represent the people of New South Wales and not necessarily simply to score political points.

I attended a meeting about a problem with the public wharf at Narooma. That wharf was extended a couple of years ago. Management of the wharf was due to be changed over from the Public Works Department to the Eurobodalla Shire Council. That has not been able to take place; I do not know what the problem is. Boats are banked up three deep along the wharf, and this has resulted in chaos because there is virtually no management of the wharf. A meeting was held in Narooma of boatowners as well as representatives of emergency services and three or four relevant government departments. It discussed the fact that because moorings are not available the wharf is tied up at all times. If fishing boats are on the inside and charter boats on the outside, the fishing boat operators have to ring up the charter boat operators at 3 o'clock or 4 o'clock in the morning to make sure that they can move their boats and start work. No unloading or loading facilities were available for the contract hire boats.

The meeting was attended by people with an interest in the wharf, along with a couple of members of the public. There was agreement that the matter had to be sorted out but the problem was how to do so, bearing in mind all the red tape that was involved. We looked at the possibility of putting in some moorings and jetties next to the existing wharf so that boats could be tied up away from the main wharf,

but giving boat operators access to the wharf to load or unload passengers or fishing goods. However, our problem was that we did not have a land assessment of that area, and land assessments in my electorate are running about two years behind schedule. Those wanting land assessments on public land may have to wait two years for them. We decided to abandon that idea because we could not wait for the land assessment to be carried out. We then went to the next best site, which was selected because it had had a land assessment. That site is on the northern side of Narooma. We decided that the spot was reasonably desirable but that some small amount of dredging would have to be done so that the boats could nose in off the main channel. A small jetty would be required to tie up six boats, and moorings were needed. The moorings did not seem to be a problem and the Maritime Services Board could handle that relatively easily.

But on the issue of dredging, the question arose whether it was a development or not. We convinced the Department of Lands that this was not a commercial enterprise, but simply a means to give owners of the boats access to them in order to take them to the main wharf. The problem then arose as to whether the new State environmental planning policy dredging regulation was applicable to this area. The information I have at this stage from the Department of Lands is that it is not because it is off

Page 199

the main channel, and therefore it would need an environmental impact statement. We know how much an EIS costs and how long it takes to get one, so we are now into that process. The next problem was that if we wanted moorings as well as a jetty we would need approval from the Department of Lands for the jetty. However, that is a development phase and involves the shire, development applications, and so on. The meeting was held some weeks ago now. I telephoned the Department of Lands and was told that staff there are worried because they do not know who should start, but they think that the best way of going about it would be to ask the shire to form a port management committee to go through exactly what we went through, because no one knows how to effect this jetty in order to relieve the public wharf that basically is not being managed properly.

I am now trying another tack, that is, trying to get the Maritime Services Board to act as temporary harbourmaster so that someone takes control of the jetty. The matter will eventually be sorted out but my main reason for raising it here tonight is to implore every honourable member, when considering legislation, to take some notice of the problems of getting things done in this State. It is possible this business will continue, whether it is for fishing boats or charter boats, but many people walk away from pursuing a development because of the problems associated with red tape. They simply say it is not worth the effort. I doubt that it is different in any other State. Is it any wonder that we are in the financial position we are, with unemployment as it is, when businesses such as this cannot get going? Ours was a simple problem but it emphasises some of the problems with legislation that this Parliament passes. It might sound good in this Chamber but in practice it is not so easy to implement.

I should like to mention a few industries in my electorate that are suffering at the moment. I refer in particular to the oyster industry, which is a relatively small industry in the scale of things but which has had a particularly bad time over recent years. It started some years ago with a health scare when about 600 people contracted food poisoning because a couple of the rivers and estuaries were not as clean as we might have wished, having been polluted by sewage overflow and other things. People stopped eating oysters and problems started for the oyster industry, regardless of whether those industries were in the affected areas. We have since had problems with a percentage of the oysters affected by winter kill. The Pacific oyster has taken a lot of our markets in Melbourne, particularly from the industry in my electorate on the South Coast. Melbourne is the major market for the Sydney rock oyster. Recently in some streams up to 90 per cent of oysters have been affected by summer kill, that is, in the heat of the day and at low tide the oysters simply die. It is not just a matter of the oysters dying off, but the farmers have to retrieve the situation. *[Extension of time agreed to.]*

I commend the Minister for Agriculture and Rural Affairs for his quick action in waiving the cost of inspection involved when moving oysters from one river estuary to another. This measure will be of considerable benefit to the industry. I believe also that the rural assistance scheme gives great

consideration to oyster growers. Many members of Parliament who are farmers would be aware that in my electorate the largest agricultural industry is the dairy industry, which is faring very well at the moment. The farmers are getting good prices, with monthly cheques coming in, and they have had good seasons. However, other industries, particularly in western New South Wales, have been affected by drought. Recently I saw a graph that showed that in real terms wool prices are the worst on record. People in areas affected by drought would find the challenge of feeding sheep and keeping them alive to be unbearable and I am assured that many of them will eventually have to move off the land.

Around Monaro and areas close to my electorate the season has been reasonably good, even though wool prices have been absolutely shocking. I have great empathy for the wheat growers who this year had massive crops, only to find that when their crops were over the fence and ready to harvest, the rain came and ruined what was to be a bumper year. Siltation of lakes and estuaries in my electorate is also of concern. Today in private members' statements I mentioned the troubles of Burrill Lake and the problems encountered in having some rectification work done. But it is not only that lake or stream in my electorate that has a problem; I am sure other people in coastal electorates have the same problems. A number of our tourist areas are being ruined or degraded by silt deposits in our lakes coming downstream from development sites and so on. I am certainly not against development - I am very pro-development - but I believe we must ensure that when development takes place, all those safeguards to prevent silt getting into the lakes and streams are of a very high standard, are policed and are taken into account before the development goes ahead, thus ensuring that good developers are there for the long term. We should weed out developers who try to cut corners and do not do the right thing. In most coastal towns the problem of siltation is coming to a head; it is ruining tourism and fishing and is generally undesirable. If developers are not aware of the problem when they come into the area, they should be policed and made to do the right thing to protect future development.

I should like to mention a number of matters relating to my electorate, the first of which is roads - which are very important in country areas. The 3 x 3 program is extremely popular in my electorate. It is interesting that few people realise that the NRMA oversees and audits the program to ensure that the money is spent on roads. The Kings Highway, which runs between the Australian Capital Territory and Batemans Bay, is always of great concern because Batemans Bay is a tourist venue for Canberra tourists. In the past five years this Government has spent \$15.8 million on that road, and this year \$3 million is allocated to it. At this stage I congratulate the Federal Government on its allocation of \$3 million towards the upgrading of the Kings Highway. I

Page 200

believe that when something good is done one should pass on congratulations. It was not that simple; the Federal Government wanted the State Government to match its contribution but this Government had already allocated \$3 million. This is the first time for a number of years that the Federal Government has put any of the 26 cents a litre fuel tax into the roads in my electorate.

The Yellow Pinch area in Merimbula is due for completion in 1994 at a cost of about \$8 million to \$9 million. The Merimbula bypass has been completed and tenders for the Higgins Bridge project between Batemans Bay and Ulladulla have been called. I should now like to refer to Main Road 272, a dirt road which links the two tourist towns of Bermagui and Tathra. The upgrading of this road has been on the Bega Valley shire's priority list for a number of years but it has never received funding. This year I should like to see some funds allocated to begin the upgrading of this main road which, I am sure, would be greatly appreciated, particularly by the people of Bermagui.

Moruya High School in my electorate desperately needs a multipurpose hall. The school has been awaiting such a hall for years. Some months ago I attended a parents and citizens meeting where it was decided to take a deputation to the Minister for Education. The Minister gave us a great reception and told us that in May, depending on the capital allocation from Treasury, some positive indication may be available as to whether the hall would proceed. I should like to stress to the Minister the great desire in the Moruya High School community to have that hall. Tathra school is also very important and those two projects are my priorities for schools. I should like to see both of those schools receive funding in the

forthcoming budget.

For some time I have been endeavouring to have a new police station built at Batemans Bay. Currently the police officers are housed in demountable buildings. The new Batemans Bay police station was to be completed with the court house - it was a combined building - but for some reason the court house was built and the police station was not; hence the demountable buildings. The conditions in which Batemans Bay police are housed are not acceptable and it is time a new police station was built. The Milton police station is also overcrowded. The department has actually chosen a site in North Street, Ulladulla, with the building of a new police station to commence in 1994. However, it was to proceed under the category of minor works, that is, works under \$500,000. Unfortunately, the estimates have now put it over \$500,000 and the project has gone to the bottom of the major works list. Today I approached the Minister to see whether there was some way that the police station could be built on time under the \$500,000 minor works projects.

I should also like to raise the issue of the Batemans Bay marina. On two occasions the Government has endeavoured to pass it over to private enterprise through tendering with a certain amount of upgrading. However, neither of those tenders have been successful for a number of reasons: first, the economic climate is not right for tendering those types of developments; and, second, Batemans Bay has a very limited amount of land around the marina, and marinas generally do not give a large return but require quite large areas of land and considerable structures to make them economical. It is obvious that it will not be tendered out in the near future. I point out to the Deputy Premier, Minister for Public Works and Minister for Roads that as it did not have any money spent on it for a considerable time while tenders were being taken, it needs a lot of maintenance, and the slipways need upgrading. We should look at upgrading that public facility in a popular tourist town. I am sure both the co-operative and the boat owners in Batemans Bay would look favourably on the maintenance and upgrading of that marina.

Another exciting project in my electorate is the proposed new Bega racecourse. At present there are racecourses at Bega and Pambula - Bega Imlay Racecourse and Pambula Imlay Racing Club. Those two racecourses are trying to form one club and build a new high quality racecourse so that racing will thrive on the South Coast. A feasibility study has just been completed. We hope that the Minister for Finance, Assistant Treasurer and Minister for Ethnic Affairs and other Australian Jockey Club dignitaries will release that feasibility study in the not too distant future so that we can make the racecourse a reality. [*Time expired.*]

Mr NEWMAN (Cabramatta) [10.12]: It is a pleasure to reply to the Speech of His Excellency, Rear Admiral Peter Ross Sinclair, Governor of New South Wales, on opening the third session of the Fiftieth Parliament. On that occasion I had the honour of having my dear mother, Helen, present in the Legislative Council public gallery. My dear mother heard noises emanating during the Governor's Speech, and afterwards during the refined afternoon tea I had to explain to her that the Governor's Speech was really written by the Premier. Many parts of that speech made members of the Opposition rather uncomfortable. Some of us had to clear our throats and some of us gasped at the statements made. Unfortunately, that was not enough for my mother, who is a strict disciplinarian. I hope she reads my speech and better understands why Opposition members felt so uncomfortable on that day.

On the first page the Governor began by mentioning the current Federal election campaign and the increasing deficit in Australia's balance of payments. He then mentioned the budget deficit in New South Wales and the fact that the Government is seeking to eliminate it. The Governor went on to indicate that the Government intends to make an effort to create a better business environment conducive to sustainable employment growth and economic development. That is the type of thing that made me clear my throat and made me feel uncomfortable. When I checked on the last six months of John Fahey's premiership I was appalled at the record.

Page 201

The \$500 million backlog in this year's projected capital works alone made me uncomfortable. No wonder Opposition members felt uneasy when they realised that the figure last year was \$300 million. In

the past six months under Premier Fahey 57,000 jobs were lost in this State while the rest of Australia gained 27,000 jobs. New South Wales had a higher unemployment rate than the national average and a much smaller work force participation than any other mainland State. That simply means New South Wales had only 54.04 per cent of its population aged 15 and above in jobs compared with 54.73 per cent in South Australia, 55.4 per cent in Victoria, 56.99 per cent in Queensland, 57.43 per cent in Western Australia and 55.61 per cent in Australia as a whole. Those are horrific figures!

I could not be blamed for thinking that part of the unemployment situation at the moment has been somewhat inspired by that capital works program backlog. But we have to look at another factor - the unemployment created by this Government. Some people will lose their jobs because of initiatives by this Government. I am talking about job cuts predicted for 1992-93. There will be 849 job cuts in electricity councils, 1,651 in the State Rail Authority, 923 in the State Transit Authority, 131 in the Water Board, 1,738 in area health services, 215 in community services, 133 in the Department of Conservation and Land Management, 66 in the Ambulance Service, 72 in the Department of Courts Administration and 1,572 in the Roads and Traffic Authority - a total of 7,350 jobs. It is no wonder that many of us listening to the Governor's Speech felt uncomfortable. It is no wonder that some noise emanated when the Governor made a statement about the Government's plans for the future. The position gets worse.

Let us consider the bad economic position of New South Wales. Australian Bureau of Statistics figures released in January show that New South Wales has suffered a negative trend in retail turnover for the past six months - the entire period of the Fahey Government. The trend in Australia in the months up to January shows an improvement in retail turnover, but the trend for New South Wales is negative. In fact, New South Wales is the only State to have had negative growth every month for the past six months. Monthly retail turnover figures for New South Wales are shocking. Victoria had 0.4 per cent, Queensland 1 per cent, South Australia 0 per cent, Western Australia 1.3 per cent, Tasmania 0.4 per cent and New South Wales minus 0.1 per cent. Those are amazing figures.

Australian Bureau of Statistics figures show the trend in new motor vehicles in the period May to November 1992. New South Wales had minus 10 per cent and Victoria 5.5 per cent. Credit for this does not go to the present Premier or the present Government in Victoria but to the Kirner Government. The work leading to that percentage can be attributed only to the Kirner Government. Queensland had 6.2 per cent, South Australia 1.8 per cent and Western Australia 5.5 per cent. The shocking figure for New South Wales is a sad indictment on this Government. Australian Bureau of Statistics figures also compare the value of building work commenced between September 1991 and September 1992. New South Wales had minus 20 per cent, Victoria 5.8 per cent, Queensland 11.2 per cent, South Australia minus 1.6 per cent and Western Australia 29 per cent. No wonder many of us were uncomfortable listening to parts of the Governor's eloquent Speech. Unemployment figures for my local area, Fairfield, and Liverpool are devastating. It is 19.8 per cent - a shocking figure. Youth unemployment is at about 13.6 per cent. That is about 29,500 people, a very sorry state of affairs. contributed to by the New South Wales Government.

I wish to speak to a part of the Governor's Speech not so much in political terms but in terms of concern. My concern would probably be shared by other honourable members. I refer to the section on law and justice. In that section the Governor mentioned law enforcement and the Government's intention to reform administration of policing, to ensure the confidence of the community in the efficiency of the Police Service, and its focus on safety and security of the community. He referred to the green paper on juvenile justice and to reforms in the Drug Trafficking (Civil Proceedings) Act.

One important matter that should be aired in the House - and I am sorry it was not included in the Governor's Speech - is penalties and the judiciary of this State. The public of New South Wales is completely losing confidence in the judiciary because of the types of decisions being handed down by courts today. Both sides of the House would probably agree that some shocking decisions have been made by the judiciary. My office has never had so many calls regarding court decisions as it has had last year and this year. The public does not think the penalty handed out meets the crime any more. Some

of the most terrible murders ever to be committed have outraged the public of New South Wales. I have received several letters about these matters. One was from a Mrs Elaine Sinclair, who wrote to me about the Ebony Simpson murder. Mrs Sinclair is a very caring mother. Part of her letter states:

Judges are so lenient these days. Surely they must have children or grandchildren themselves. Don't they realise that these terrible things can happen to their own families too, or do they bury their heads in the sand . . .

I was aghast at the Ebony Simpson murder. Ebony Simpson's death was no accident; police told the Picton court that undeniably it was a most brutal murder. Ebony was a year 4 pupil at Bargo primary school. She was kidnapped from near her home in Arina Road after school. After the attacker had sexually abused her he threw her into the Charles Point Dam, but only after tying her hands and feet with electrical wire. What a contemptible act! It is no wonder the people of Bargo have put together a petition and are very concerned about the outcome of that case. We have heard of many other horrible cases. A Mr P. Gee wrote to me, stating that he is 32 years of age, with a boy 12 years old and a girl
Page 202

eight years old. He stated, "If this happened to one of them I would personally kill these scum so I could feel at least some justice was done". People do not use that terminology unless they feel very strongly.

This year there was an incident in my electorate of Cabramatta that involved the death of young Benjamin Cox. In that case the law in regard to the penalty for culpable driving was entirely inadequate. The death of Benjamin Cox resulted in a full inquiry being initiated. It is to the credit of the Minister at the time and the Staysafe Committee that a full inquiry is being held, and a discussion paper should be completed some time this year. It is another case of the public reflecting the view that they are unhappy with existing penalties. The judicial system operates independently of the Attorney General and the Government. I am not blaming them for the decisions that have been made. It is up to the legislators to look at the penalties contained in the Acts and to examine why the judiciary is handing down decisions which are totally out of touch with community thinking.

The penalty handed down to 75-year-old Ronald Allpass, who sexually assaulted a nine-year-old girl in a bedroom, is a typical example. He was released on a bond. We will hear of more such cases in the future. There is not a great deal anybody is doing about such decisions. The Minister, to his credit, will ask the Director of Public Prosecutions to appeal that decision. I do not know what will be the result. Recently, I think it was today, the judge in that case defended his decision. The contemptible act of Mr Allpass deserves a very stiff penalty. However, this man is back on the streets where he can cause bother to somebody else. There is nothing to say he will not offend again. Our judiciary is in a cocoon and apart from the real world. Once a judge is appointed for life he is insulated from public opinion. It is a pity that to some extent judges are not appointed by election. They are virtually untouchable. They are people we count on to enforce the law that we, as legislators, present and carry through. However, we find our wishes are not carried out. In future, we should seriously look at a means of ensuring that the judiciary comes back down to earth and gets in touch with community awareness. There should be some sort of community awareness program for the judiciary. [*Extension of time agreed to.*]

There should be a program initiated whereby judges have to face community panels. I hope public outcry will result in a progressive role being implemented and that possibly, as happens in America, groups such as Mad Mothers Against Drink Drivers will be formed to monitor and publish the decisions of judges to show the fairness or otherwise of the direction in which the judiciary is moving. Not far in the future the Parliament will again examine penalties; we will perhaps give consideration to the death penalty in cases where absolutely no doubt exists about the terrible actions that have been taken. I know that the Leader of the Opposition has already promised that a New South Wales Labor Government will review gaol terms of serious offenders before allowing them out and will give consideration to a veto system that would give the Government power to lock up offenders for the full terms of their sentences. Not to do so is a terrible derogation of the legal system and the court system.

The Governor referred to police establishments, which have been a matter of concern in my electorate for some time. I question the system used by police management to allocate resources. I am not sure of the present formula for allocating police resources in the State, and I doubt that any member knows it. In the old days there was a police-to-population ratio of about one to 600. I understand that has changed and that the police examine crime statistics and the incidents that police are called to attend from the various stations. I would like to see the new formula, because it does not work for my electorate, which needs an increase in police numbers. There must be a doubling of the number of beat patrol officers. Allocation of police resources for Cabramatta is inadequate. People pay dearly for the lack of a police presence, other than through crime. They pay through high insurance premiums.

Cabramatta electorate has a number of postcodes, which are used by insurance companies to classify high-risk areas. Consequently people living in the electorate pay about \$400 more for vehicle insurance and \$150 more for household insurance than is paid in some other suburbs. I do not understand why the top insurance companies such as GIO, NRMA and FAI have high-risk classifications. Why are police resources not allocated to correspond to those classifications? That does not seem logical. The sooner the Minister for Police tables the formula for the allocation of police resources, the wiser all honourable members will be. The same can be said of the insurance companies, which should publish for their customers the system they use. At present Cabramatta is not in the first 25 suburbs on the list of housebreaking offences in New South Wales. Yet that area has a high-risk classification. That is a worry to me, as it should be to all honourable members.

Guns play a big part in crime. I was one of those who was pleased about the introduction of more stringent gun control measures, particularly as they related to pistols. When the new regulations came into operation on 1st May, 1992, I thought there would be fewer guns in the community and in homes, and that fewer problems would arise. I asked the Minister for Police a question about guns in Cabramatta. To my surprise I learned that rather than there being a downturn in the number of guns in the electorate, there had been an increase of 53 per cent; instead of there being 32 registered firearms in Cabramatta, there were 49. I do not know how that happened, whether the new regulations had an unexpected effect, but all of a sudden there had been a 53 per cent increase in the number of pistols in Cabramatta. However, that is a fact of life and something that should be examined by the Government to determine whether its policies on law and order are working.

Page 203

One terrible thing that has happened this year was touched on by the Governor in his Speech. He referred to plans to improve natural resources, including air and water. I draw attention to the terrible disclosure in this year's Budget that the Premier plans to take \$153.5 million in dividends from the Water Board. That is \$100 million more than the board would normally pay, and is related to the special environment levy. I am insulted by that revelation. In April 1992 the people of Liverpool and Cabramatta were almost conned into paying an additional levy. The Water Board proposed to charge them a \$60 levy for water quality management. That was the biggest con act ever. The board was supposed to consult the community, and it did so by calling a meeting on a rainy night when not many people turned up. To its credit, the board did not regard that as adequate consultation. After people had been circulated about the effect of the proposal there was an uproar and the Water Board subsequently withdrew the proposal. I do not know what the board intends to do now or what will happen about the special environment levy to clear up Cabramatta Creek, which is in need of water quality management. Part of the funds from the levy should be allocated for work to start on that important project.

The Governor's Speech mentioned the \$1.8 billion that will be allocated for transport. I am particularly concerned about the increasing need for roadworks in Sydney's west, which is expanding rapidly. More than 300,000 new dwellings will be built in western Sydney by 2006, five years earlier than had been previously expected. I know that in a report some time ago the National Roads and Motorists Association commented on the need to bring the road system up to a standard that would cater for

existing developments before looking at growth developments. In that context I am concerned about the lack of work on Cabramatta Road. On 10th April, 1991, I raised the matter in the Parliament. A survey of Cabramatta Road had been carried out and a few million dollars was supposed to be spent on many of the intersections along that road. Nothing has been done yet. I am told by the Minister that action will be taken by August this year. I do not know why the Roads and Traffic Authority has waited so long. Necessary minor alterations have been made to improve some intersections, but the required funds have not been made available. Other intersections are in desperate need of repair. The overpass at Canley Heights needs attention; the Bonnyrigg Avenue-Elizabeth Drive intersection requires urgent work and Elizabeth Drive must be widened as soon as possible.

I express concern also about public housing. In the Fairfield local government area alone, the P3 public housing region, 12,000 people are on the public housing waiting list. Of those 12,000 people, the highest number of applicants, approximately 6,510, are in the three-bedroom house general category. The lowest number is, of course, in the single-person category. The Government should look seriously at this problem. In the Parramatta area to the southwest, the P1 public housing region, 16,737 people are waiting for public housing. Those two figures represent an enormous number of people on the public housing waiting list. The problem will not be solved by a paltry \$100 million or so. It will take hundreds of millions of dollars to solve that problem. It is pathetic that the public housing waiting list, particularly in those regions in the western suburbs, is so enormous. It is a terrible indictment of this Government that the budgets of all key areas of government development are in surplus. The Government must answer for that. No key government development area should have a surplus. Surely in this day and age, with unemployment at its present rate, the Government does not have a leg to stand on justifying maintaining a surplus in any of these areas, be it capital works or any other budget area. I appeal to the Government, particularly in relation to public housing in the P1 and P3 areas, to do something about using the full budgetary allocations.

Mr CHAPPELL (Northern Tablelands) [10.42]: It is a great pleasure to respond to the formal opening of Parliament last week by His Excellency the Governor, Rear Admiral Peter Sinclair. It was a particular pleasure for me because only two days previously the Governor and his wife were in Armidale for the centenary of The Armidale School. They enjoyed the day. I also enjoyed the day, being in the company of the Governor in my electorate for the fourth time. To demonstrate the type of service given by the vice-regal couple to this State, I should like to tell honourable members briefly about one incident that took place on that day. After the TAS function, we inspected a new dementia hostel, the construction of which has just been completed and which is about to accommodate its first patients.

It is very instructive to observe the close attention the Governor and his wife give to whatever building they are visiting or to whatever function they are attending. I recall one particular matter to which Mrs Sinclair drew attention in one of the shower rooms at the dementia hostel, which turned out to be a common fault in all of the shower rooms throughout the building. It was possible for dementia patients, when using the flexible shower hose, to direct it towards a light fitting over the vanity unit. Mrs Sinclair asked, "Isn't it possible that that could cause an electrical fault and perhaps cause the light fitting to become live?" The builder and the architect both agreed that that was the case and the fault had to be attended to.

I merely give that as an example of the close and detailed attention that the Governor and his wife give to premises they visit. On other occasions on which they have visited scientific laboratories and other institutions in my electorate they have impressed everyone with their close attention to detail, as well as their charm and ease of manner. I repeat that it was a great delight to have them visit my electorate on that occasion. It was therefore a further delight for me to listen to the Governor's Speech when he opened the

Page 204

third session of this Parliament last Wednesday. As is fairly traditional in the opening address of a new session of Parliament, the Governor referred to the general economic issues confronting the Government at the present time. A number of speakers in this debate have referred to those issues also, but it is

important that honourable members take on board the economic factors reflected by this Government's management of New South Wales.

One matter that has drawn some attention, and certainly some flak, from the Opposition is the contributions to State revenue from government trading enterprises. Some would claim that they are a great rip-off and that the Government is taking money that belongs to the people. Half a minute's reflection will convince honourable members that whatever this Government takes from government trading enterprises by way of efficiency gains and so forth is recycled through the State's finances for the benefit of the people of New South Wales. Although Pacific Power, for example, may pay a dividend into the general revenues of the State, virtually everyone in the State uses and pays for electricity. Because Pacific Power is a commercially operated organisation involved in the production and supply of electricity, it is quite appropriate that the profits from that enterprise be returned to funding of the provision of services to the people of New South Wales. Any claim to the contrary, that dividends paid by government trading enterprises are somehow a rip-off of New South Wales electricity consumers, water consumers or whatever it may be, is simply a furphy.

The fact is that during the past few years the Government has converted what was a contribution to general revenue from government trading enterprises of about \$100 million to approximately \$1 billion in the 1992-93 financial year. That tenfold increase has been a major contribution to the funding of the supply of services to the people of New South Wales. It is fundamentally important to this State's future economic prosperity that those government trading enterprises continue to strive for excellence and commercial performance at the highest level so that they can pay their taxation equivalents and their dividends into the State Treasury. The highest level of services of any State in Australia can then continue to be provided to the people of this State. That is, of course, what the citizens of New South Wales deserve. I repeat that it is simply a furphy for the Opposition to claim that somehow or other the payment of dividends by government trading enterprises is wrong, that perhaps the Government should not be taking quite so much money, and that the Opposition would not do that if it were in office. Honourable members know that that is deliberately tampering with the truth. If members of the Opposition had the business acumen to make those government trading enterprises the efficient organisations they have become, they would certainly do the same thing.

When thinking about the economy of this State it is important to reflect briefly on the fiscal equalisation policy in Australia. For the benefit of those who should give a great deal more thought to that concept, the goal of fiscal equalisation is to enable each State to provide the same basic level of services at approximately the same cost per person or per recipient of the service, so that all people throughout Australia will enjoy approximately the same lifestyle and pay approximately the same level of taxation. Fiscal equalisation means that States which, because of their economic activity and the efficiency of their operations, can afford to subsidise States which are below the average in performance will do so. That is commendable and I suppose all honourable members support that concept to an extent. However, for a great number of years, and particularly during the past several years under the present Government, the fiscal equalisation policy has undoubtedly continued to work to the detriment of New South Wales.

The pressure has rightly been on New South Wales to perform more and more efficiently. That is what the State is aiming to do, to be the most efficient and effective provider of services that it can be. However, seeking and achieving that efficiency has become more difficult for New South Wales, because it is penalised. There is a great disincentive to this State and, indeed, to any other State that seeks to be more efficient than the average, because as New South Wales becomes more efficient, its gains are ripped off it to support States that have not made the effort. Without listing which States are the offenders in that regard, I think honourable members know that during the past few years some States in Australia have literally been raiding their hollow logs and have tolerated all sorts of inefficiencies in the delivery of services. New South Wales has been making a valiant effort in tough economic times. It is paying its way and getting closer and closer to the efficiency of service it seeks to provide. However, in doing so, it continues to be penalised.

At the present time the review going on between the Federal and State governments - the review funded by the States of New South Wales and Victoria - addresses the equity and efficiency of the fiscal equalisation policy. As a result of that process greater effectiveness and efficiency may be encouraged and a greater degree of fairness may be achieved for the State of New South Wales. Although we are prepared to pay our way and to witness a commonality of benefits of lifestyle throughout all Australia, New South Wales should not continue to be penalised as it has been. I support the Premier in his moves to achieve greater fairness. This State deserves bipartisan support whatever the future of government at Federal level and whatever the complexion of future governments in New South Wales. There should be bipartisan commitment to fairness and equity in order to achieve efficiency for the people of New South Wales - but not at their cost.

The Governor referred to the establishment during the course of this year of a domestic violence advisory council. I see that as one of the most significant social advances that can be made. Domestic violence - indeed violence at all levels of

Page 205

society - is causing increasing concern. We had the example recently of two children 10 years of age turning on one of their own and murdering a two-year-old boy. We may say that it is terrible that has occurred in Britain and it should not be allowed to happen here. As community leaders we must all examine our consciences and ask the question: why is domestic violence, violence in the community and in the schoolyard getting more out of hand? We must seek to identify the underlying causes and develop strategies to combat this trend. It is too late after the event; a person cannot be brought back from the grave. Talking about penalties is part of the problem, but only a very small part. Talking about prevention and building positive values is much more important - much more difficult but certainly more important because it relates to prevention rather than cure.

I would hope that all honourable members and those who work for the Government of New South Wales ensure that fairness, equity and justice prevail in our dealings with each other. This House could take a major leap forward if it gave some attention to how honourable members behave in this Chamber. Quite frankly, the behaviour of some honourable members in front of young children who are witnessing our actions is from time to time scandalous. Later this year we will be given an opportunity to engage in bipartisan activity in that regard. For the first time in New South Wales a week in August will be dedicated to Family Week. Though I have heard several scoffs in respect of that proposal, it is important that we reflect upon the continuing importance of the family unit in society. There may well be many other models in this so-called enlightened time in which we live other than the traditional husband, wife and a few kids, but, nonetheless, that will continue to be the major social grounding and nurturing point for families and citizens of the future.

The United Nations has declared 1994 as International Year of the Family and this Parliament will participate wholeheartedly in trying to build up family values and fairness and equity in society to ensure that we turn the tide on the upsurge of domestic and other violence depicted so much in the media. I hope during Family Week - and the activities leading to the International Year of the Family - that more emphasis is placed on violence depicted in the media and on our entertainment screens and its effect on the lives of young children, in particular. This behaviour erodes respect, on which the future of society depends. The role of advertising in the media has a great impact on us all, but particularly on impressionable young children. No one in their right mind, no hard-bitten businessman will spend many hundreds of thousands of dollars on advertising if it does not work. A few seconds on television or a few column inches in the newspaper is assumed to modify human behaviour by those people who see or hear. If that happens as a result of a 30-second advertisement, what effect can the viewing of thousands of hours of violence, pornography and other degrading pictures on television, videoscreens and newspapers have on impressionable young minds? Our attention should be focused on building up positive values for our future citizens during their early and formative years. I hope this becomes a major issue for all honourable members. We have a responsibility to the people of New South Wales to try to build a proper setting in which we can all learn to live peaceably and supportively of each other rather

than continuing the descent into violence and degradation.

I was pleased that the Governor's Speech emphasised the rewriting of a comprehensive regional development policy to be implemented later this year for non-metropolitan New South Wales, something many of us have been anxiously awaiting. We do not say this is easily done and should have been done long ago. Many governments over the years have made valiant efforts and spent large sums of money trying to promote decentralisation, regional growth and so on. The reasons for people choosing to live where they live, work where they work and invest in businesses where they do is very complex. We must continue to strive for balance in the investment realm, housing and other areas, so that genuine decentralised development takes place throughout New South Wales. The increasing problems from gross overurbanisation will probably end up forcing us to be more active in decentralisation or regional development policy. However, we should not be waiting to be driven into that corner but should be proactive.

I invite the Government to look to the model being developed by the New England Regional Development Board based in Armidale which serves the north and northwest. That is an effective organisation led by Associate Professor Roy Powell of the University of New England. He has a competent team of board members who are giving their best to attract industry, growth, jobs and better living conditions for people. They take a broad-ranging view of their job which they are doing effectively. They have established a model which should be emulated throughout the State. Cabinet is soon to meet in Moree and I hope it has time to speak with the New England Regional Development Board in order to become acquainted with some of the board's activities. *[Extension of time agreed to.]*

An agricultural matter of specific interest to me is the noxious weeds legislation, which was referred to by the Governor in his Speech and by the Minister for Agriculture and Rural Affairs in his second reading speech. It may seem a little rustic so far as some honourable members are concerned, but it is fundamentally important to the future of rural New South Wales agricultural industries and, of course, the environment. Although the Government has doubled financial contributions for weed control, it must continue to make greater efforts. I am pleased to note that noxious weeds county councils and other agencies will be given power to ensure that all landholders - including public authorities - will be required to be good corporate citizens in respect of the control of weeds. I am particularly hopeful that the legislation

Page 206

will include the capacity for noxious weeds county councils to take action against the property holdings and assets of individual farmers or agencies who do not play ball properly. Until now, civil action by enforcement agencies has not been a sufficient remedy. Serious offenders who deliberately flout the law and refuse to play by the rules must be put in a position where they will have to play by the rules.

Another matter of fundamental importance is the enhancement of the rural counsellor scheme. I am pleased to acknowledge the role played by the Minister for Agriculture and Rural Affairs last year in ensuring the appointment of a rural adjustment officer - for the first time in my electorate - to advise those people suffering extraordinary hardships. The New England region has long been considered one of the safe areas of the State. The necessity to appoint an advisory officer in these tight times is symptomatic of how bad things are in the bush. In my electorate - in many cases for the first time in several generations - people have required serious support and advice on restructuring out of the industry. That is a great blow to the area and traumatic for the people involved. I compliment the Minister on responding to my calls for support last year, and to those people in the community who responded to a public meeting I called to seek the appointment of that officer.

I commend the Minister for Education and Youth Affairs and Minister for Employment and Training for responding by way of an additional \$120,000 for the student assistance scheme, aimed at overcoming some of the serious cost disadvantages for families in the bush. This year in many schools in smaller country areas in the west, including distance education centres, student numbers are down. Families have packed up and moved into towns or to the coast because they can no longer survive. That is a

frightening situation that the Government must address. I thank the Minister for Education and Youth Affairs and Minister for Employment and Training for responding with an allocation of more than \$3 million. It is still not enough: not even \$6 million or \$9 million, or even more, would be enough to address the plight of the affected families. It is a genuine effort, a start, and provides for the worst cases to be handled sympathetically at the local school level. It is much appreciated.

I cannot let the opportunity pass without thanking the Minister for Transport for the development and rebuilding of the rail network in New South Wales. At present the Government is engaging in a \$125 million refit of rolling-stock, which includes the provision of new XPT trains and a \$50 million investment in the Xplorer train, which is under construction and will be on the rails in a few months time. Services to Canberra, Armidale and Moree will commence in the latter part of this year. Of fundamental importance to the people of New South Wales is the question of public rail transport, and I am pleased that the Minister and the Government have responded forthrightly. The Government has provided the money up-front. The allocation of \$125 million is appreciated by people in country New South Wales - and indeed those in metropolitan areas who are smart enough to know that they could enjoy a better lifestyle by visiting the bush occasionally. I assure the Minister that my constituents have a keen interest in the service and, I might add, the refurbishment and remodelling of public areas of such railway stations as Uralla and Armidale. Country people will ensure that the Xplorer service is well patronised.

With regard to microeconomic reform I wish to reflect upon the electricity industry, not only Pacific Power but also electricity supply authorities. County councils have come a long way in the past few years in terms of efficiency and money they have been able to provide by way of payments back into State funds. It is instructive to analyse figures that demonstrate efficiency achievements. Operating costs to distributors across the State have been reduced by about \$141 million in aggregate terms over the past several years. The average retail price of electricity has decreased by 3.6 per cent in real terms and operating costs per customer have decreased from \$317 in 1988-89 to \$275 in 1991-92. Cost savings for those four years is expected to be of the order of \$260 million - a matter of great significance to the people of New South Wales, electricity consumers, business operators and all who seek efficiency in this State.

It will be particularly important over the next little while as Australia proceeds towards the development of a national grid. We are anxiously awaiting a decision about whether a national grid will proceed. If the national grid is to proceed, it will benefit the people of this State if New South Wales is one of the major national suppliers. Pacific Power has done a remarkable job in turning around an industry that was perhaps a bit sluggish and which is now extremely efficient and effective and can withstand the best of international competition so far as outages and efficiency performance are concerned. I compliment all those involved and look forward to continuing growth in efficiency in the years to come.

Finally, I comment on conservation and land management about which there has been some opposition from honourable members. It has to be acknowledged that throughout the first few months of the merging of the various elements of that new department some difficulties had to be faced. Some time elapsed before things started working in the right way for the people of New South Wales in what is now the lead agency for land management in this State. Obviously, the Department of Conservation and Land Management is the principal agency involved in land care and total catchment management, and it is the custodian of the Crown estate. Awareness in the community of TCM programs is now well entrenched and I believe it can be claimed that the Department of Conservation and Land Management, the former Soil Conservation Service, and the Forestry Commission have really come together to work for the long-term interests of those land-based assets and services that have to be provided. I compliment those who have made a

Page 207

valiant effort to get right the working ethic for the benefit of the people of this State and for our future, and as an adjunct to the management of the environment.

New and further innovative policies will be introduced to enhance land management throughout the State. Members are aware of the coastal Crown lands management policy, which is aimed at protecting our sensitive coastal zones, the program to dedicate all Crown land beaches, the introduction of a Crown land caravan park levy and the various other initiatives particularly the acceleration of the State's digital database that forms the primary layer of the land information system now recognised as one of the most effective, leading to sales of that service throughout the world. Those are the sorts of things the State is doing well.

I could continue, as other members have, to comment on a number of achievements by the Government in my electorate. In some towns more than others in my electorate, in common with other electorates, a number of jobs within the public sector have been lost. It is a disappointment to any local member to see jobs go, but the Government acknowledges equally that there have been plenty of pluses. The level of funding could not have been kept up in a range of government support services if we had continued to maintain the fat in the system across that range of services for many years past.

Tight management of the Budget has enabled a new school to be built at Red Range; the placement of a new rural counsellor at Inverell; the development of a regional sporting academy, providing a boost by supporting the establishment of the Inverell Olympic velodrome; major investments to be made in TAFE facilities; staff numbers to be increased in the Environment Protection Authority office in Armidale, serving the north and northwest; the introduction of major changes, growth, and a number of new jobs in the Department of Mineral Resources in Armidale. These new jobs involve people moving from the city to the country area where the work really exists.

The Government can continue to hold its head high; it has the general layout right, and it has the difficult task of confronting the tough economic times, not of its own making, that beset the nation. None of us would have expected the national recession to have been as long or as deep as it has been, but we have struggled on. I compliment the Premier, his predecessor, and the Ministers of the Government, who have continued to make the valiant effort to ensure that the people of New South Wales have, and continue to have, the service, economy and efficiency they deserve. I compliment the Governor on his Speech setting out the objectives for this session of the Parliament.

Debate adjourned on motion by Mr Moss.

House adjourned at 11.12 p.m.
